

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

JOSH COHEN
Plaintiff

v.

ACTION NETWORK
AFL-CIO
ACTION SQUARED
CIVITECH
DEMOCRATIC NATIONAL
COMMITTEE
MOVEON.ORG
NATHAN WOODHULL
NETROOTS NATION
Defendants

SECOND AMENDED COMPLAINT
Civil Action: 23 cv 10359
RICO 18 USC 1962(a)
Copyright Infringement
18 USC 2319
Robbery by Extortion
18 USC 1951
Wire Fraud
18 USC 1343
Conspiracy
18 USC 3551
Sherman Act
15 USC 1
Injunctive and Damages

TABLE OF CONTENTS

I	Nature Of Action	4
II	Jurisdiction and Venue	11
III	Parties	11
III.A	Defendants	11
III.B	Non-Parties	11
IV	Facts of the Case	12
IV.A	Market Background	12
IV.A.1	Plaintiff's Experience	12
IV.A.2	Market Background	13
IV.A.3	Gatekeeper Powers	15
IV.A.4	Evolution To A Digital Platform Market	18
IV.A.5	Application Ecosystems Become A New Economy of Scale	18
IV.B	OSDI Procompetitive Effort	18
IV.B.1	OSDI Ideation	19
IV.B.2	VC New Media Ventures	19
IV.B.3	Plaintiff becomes Director of Technology for Washington Gay Marriage Campaign	20

IV.B.4	Action Network Joins	25
IV.B.5	VC New Media Ventures / Universal Adapter Proposal	26
IV.B.6	Action Network Implements.....	28
IV.B.7	Broadstripes Joins	28
IV.B.8	Netroots Nation Joins.....	28
IV.B.9	New Media Ventures Partners with Netroots Nation	29
IV.B.10	Early Racketeering	29
IV.B.11	Exploiting Vulnerabilities	32
IV.B.12	Platform 2 NGPVAN	32
IV.B.13	AFL-CIO Joins.....	33
IV.B.14	Self-preferencing / Monopsony / FUD	34
IV.B.15	Action Network/AFL-CIO Benefit.....	34
IV.B.16	2X ROI External Network Effect	36
IV.B.17	Platform 3 PDI	37
IV.B.18	Mitigate Vertical Agreements.....	39
IV.B.19	External Network Effect	46
IV.B.20	Arrival of Venture Capitalists	46
IV.B.21	Disparate Impact Wire Fraud Scheme.....	49
IV.B.22	Racketeering Gains Control.....	49
IV.C	Racketeering and Extortion.....	51
IV.C.1	To Gain Control.....	51
IV.C.2	Defendants Gain Control	84
IV.C.3	To Operate.....	84
IV.C.4	Concealment.....	106
IV.C.5	Break Contact.....	106
IV.C.6	Where did it go?	106
IV.D	Data War.....	107
IV.D.1	Application Ecosystems	108
IV.D.2	Voter File Data Warehouses	108
IV.D.3	Disinformation Networks.....	108
IV.D.4	Manufactured Origin Story	108
IV.D.5	Data War Timeline	109
IV.E	Racketeering to Invest Proceeds	124

IV.E.1	Action Squared.....	124
IV.E.2	NGPVAN.....	128
IV.E.3	PDI.....	128
IV.E.4	The market for Digital Microtargeting Platform Data Synchronizers.....	129
IV.E.5	Higher Ground Labs	130
IV.E.6	Shadow Lightrail / Bluelink	133
V	Violations.....	139
V.A	Robbery by Extortion.....	139
V.A.1	Conspiracy to Commit Extortion	139
V.A.2	Conspiracy to Commit Extortion Instances	144
V.B	Action Squared's Infringement	201
V.C	Bluelink's Infringement.....	202
V.C.1	Bluelink's Wire Fraud	202
V.C.2	Bluelink's Copying	203
V.C.3	Bluelink's Copying is Exploitative not Transformative	206
V.C.4	Bluelink's Copying Decreases the Value of the Copyrighted Work	207
V.C.5	Bluelink's Copying is Essential to its Business.....	207
V.D	Active Misleading.....	208
V.E	Fraudulent Concealment	215
V.F	Unfair Competition	216
V.F.1	Anticompetitive Effects.....	216
V.F.2	Plus Factors.....	244
V.F.3	Plaintiff's Antitrust Standing.....	256
VI	Claims.....	257
VI.A	Count 1 Copyright Infringement	257
VI.B	Count 2 RICO 1962(a).....	258
VI.C	Count 3 Copyright Infringement	262
VI.D	Count 4 Violation of Section I of the Sherman Act, 15 U.S.C.	262
VII	Damages.....	263
VII.A	Fraudulently Induced Labor	263
VII.B	Plaintiff's Property Injury	264
VII.C	Plaintiff's Antitrust Injury.....	264
VII.D	Other Injuries	264

VIII	Prayer for Relief.....	265
IX	Exhibits	265
X	ESI	265
XI	References	284

I NATURE OF ACTION

1. In 2012, the market for Digital Political Microtargeting Platforms serving the American political left, which constitutes essential resources for candidates running for elections in the United States, was dominated by a single player named NGPVAN, which had vertical agreements with the DNC giving it a virtual monopoly.
2. After serving as Director of Technology for the 2012 Washington State Gay Marriage campaign, Plaintiff founded and lead a project, "Open Supporter Data Interface" ¹ (OSDI), which functioned as a Standards Development Organization (SDO) consistent with Office of Management and Budget Circular Number A-119 in the market for Digital Political Microtargeting Platforms. Over 300 committee meetings occurred, with Plaintiff serving as leader and chair for the first 250, contributing the majority of the essential IP in the "OSDI Specification" ² (copyright registrations Txu 2-249-951, TX0009315996) and labor to run the project and traveling to industry conferences including Netroots Nation to drive adoption of the OSDI standard.
3. Plaintiff invested over 3000 hours of labor, based on market value, and Plaintiff's previous compensation as a level 64 at Microsoft, the value of his contributions is at least \$325k.



337 meetings functioning as democracy

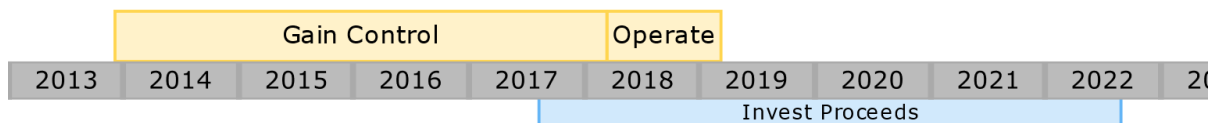
4. Plaintiff did not foresee having children, so Plaintiff saw this contribution, the size of which could be used to fund a college education, as a contribution to a good cause.
5. The purpose of Plaintiff's effort was to use his skills to create a level playing field, from an interoperability standpoint, which would allow marginalized communities and smaller players to compete fairly in the market. The OSDI standard defines resources such as People, Events, Donations, core operations to Create, Read, Update, Delete (CRUD) resources, and optimizations for common integration scenarios defined as "OSDI Helpers".
6. Adoption of the OSDI standard would result in lower costs and greater choice for

¹ [D2003] Web Page Osdi Website Home. (2024, June 15). opensupporter.org. opensupporter [D2003] [opensupporter](#) [D2003]

² [D2004] Web Page Osdi Specification Documentatio. (2024, June 15). github.io. github [D2004] [github](#) [D2004]

customer campaigns for elected office or ballot campaigns.

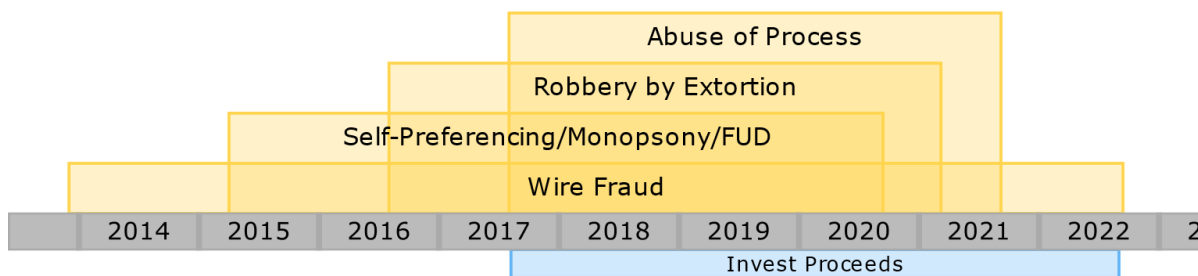
7. Plaintiff funded over 3000 hours of his labor on OSDI through mid-2019, and more on a sole-proprietorship building tools based on the standard, by selling shares of stock from his retirement savings. Plaintiff seeks the court's help restoring the external network effect and recovering his retirement savings.
8. During the beginning of the project, venture capitalist New Media Ventures referred Plaintiff to Nathan Woodhull. In December 2013, Woodhull shared their plan, which they were seeking funding for, to build a "universal adapter" that would connect to proprietary APIs used by products at the time and use OSDI as a front end. This would only be a viable business of OSDI failed as a standard API, otherwise it would be unnecessary. Plaintiff was an obstacle to the interests of venture capitalists.
9. By summer 2017 OSDI had become the largest REST based API ecosystem in the market for digital microtargeting platforms. With platform implementations from the dominant player, NGPVAN and new entrant Action Network, Application integrators experienced a 2x return on investment (ROI).
10. With platform implementation #3, PDI, and 3x ROI imminent, the external network effect was at the tipping point of becoming permanent until the next technology generation. It was a valuable economy of scale, which Plaintiff sought to protect from the VC mindset.
11. In August 2017, Reid Hoffman's political director, Dimitri Melhorn pitched Plaintiff, offering to make Plaintiff "rich" if he would agree to use OSDI as a proprietary walled garden. Plaintiff refused.
12. Defendants adopted deception, in addition to the tactics they train others to use when writing fundraising emails, as a business practice in or before 2017.
13. Dimitri Mehlhorn, using Reid Hoffman's money, funded experiments to replicate tactics used by the Russian GRU to hack the DNC and manipulate the 2016 elections to apply them for the benefit of Democrats and progressives. These began out of Netroots Nation 2017, with a fake "Dry Alabama" campaign, run by Beth Becker, using false flags, sock puppets, bot farms and other tactics later described in the Senate report. These experiments grew into a network of coordinated sites allowing Defendants to fabricate organic behavior and manipulate search engine results.



Defendants Racketeering Activity

14. Over time, Defendants joined the project, agreeing to these terms under false pretenses to fraudulently induce labor while engaging in a pattern of racketeering ac-

tivity using wire fraud, extortion, and Abuse of Process trying to coerce or trick Plaintiff into abandoning his property rights and to gain control of the project and its assets. Defendants gained control in February 2018.



Predicates

15. After the Data Breach in December 2015, internal struggles in the DNC led to the formation of the Unity Reform Commission at the end DNC Convention in summer 2016. This coincides with the beginning of Defendants' extortion.
16. Defendants threatened to use fear to exploit Plaintiff's vulnerabilities in a way that would unjustly endanger his business, property and safety, to induce responses that they would misrepresent by combining grains of truth, lies of omissions and outright fabrications.
17. Defendants made Plaintiff fear his ex-boyfriend and the power disparity in the ex-boyfriend's favor to lure him on to a workplace policy google group, then threatened to conceal his sexual orientation and publicly misrepresent his efforts to protect himself as sexual harassment and violence towards women. Defendants followed through on this threat in November 2016 at Rootscamp 2016, in a session led by Action Network's former employee Robyn Swirling. Swirling announced to the room "A man has entered the room who has engaged in repeated violence, persistent harassment of women, and invaded our spaces." This was the basis of Cohen v. Swirling.
18. Framing Gay, Transgender, Black, or Muslim men as examples of sexual harassment and violence towards women incites hatred toward *othered sexualities*, which creates a foreseeable risk of inciting violence or homicide.
19. When participants in the Campaign made these accusations in front of audiences, they created pretexts which could allow people to engage in violence toward Plaintiff, or otherwise harm his business or property, under the guise of protecting women by holding another man accountable. Thus, Defendants inciting fear of violence.
20. This had a damaging effect on Plaintiff's mental health as well, which required therapy. This healthcare began in August 2016, which coincides with the beginning of the extortion, with at least 38 sessions throughout the scheme.
21. The Campaign, led by Action Network, used the hatred, danger, and economic damage they were inciting to try to coerce or trick Plaintiff to abandon his property







rights through the end of 2019. Plaintiff endured this with out abandoning his property rights or the project.

22. In 2017, the Campaign continued this scheme until they provoked Cohen v. Swirling, shifting away from a discipline they could not compete fairly in to abusing the legal system and abusing litigation privilege.

23. When Defendants abused litigation privilege on Twitter, during February-March 2018, to escalate and amplify their deception, they increased the number of people who might be a potential threat to Plaintiff's business property and safety. As a result, they gained control of the project. The Campaign escalated their deception by falsely claiming that Plaintiff had harassed Swirling for a year and a half.

24. The effect of this deception was to conceal Action Network's role as aggressor, their property motive and a year and a half of extortion.

25. An example of Action Network using this coercion occurred after the order of discontinuance for Cohen v. Swirling on May 30th, 2018, via telephone.

26.  Audio  05/30/18  2018-05-30 11:11pm "Telephone Call Jason Rosenbaum, Josh Cohen" [T23]  My Recording;  Jason;  Josh

27. The escalation of their deception was to falsely claim that Plaintiff had been harassing Swirling for a year and a half. Jason Rosenbaum concedes that was false.

28.   Josh  +11:00 [T23]

To the extent I am guilty of anything it is unruly and disobedient behavior on a group in September 2016, and mostly silent protest for about a minute in a conference session (November 2016) I just two things completely within the norms of the community.

29.   Jason  +11:00 [T23]

I agree... It's not about the merits.

30.   Josh  +11:00 [T23]

Harassing her over a period of time, No.

31.   Jason  +11:00 [T23]

Again, it's not about the merits. I agree... I agree... It's not about the merits.

32.   Josh  +11:00 [T23]

Yeah, it is about the merits

33. Jason then uses the unjust harm to attempt to coerce Plaintiff to resign.

34.   Jason  +17:06 [T23]

I would hope that at this point when you've seen what happened to the organization you clearly care about, you would put it first and take that step back.

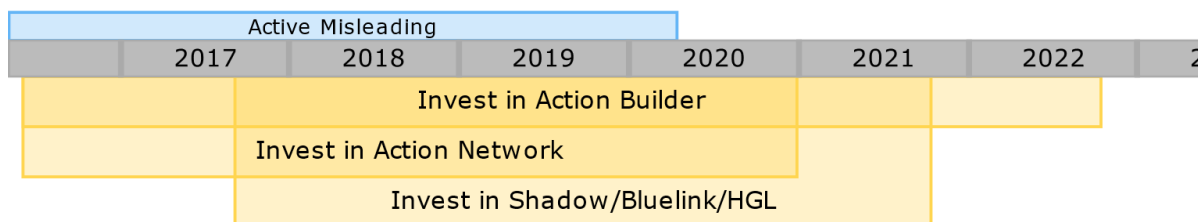
35.   Jason  +41:51 [T23]

Going forward, you have a reputation in the community and you are unable to do the work of chairman...

36. At this point, Plaintiff felt that the unjust harm from Defendants' deception was severe and likely permanent to himself, the external network effect, and the project which he

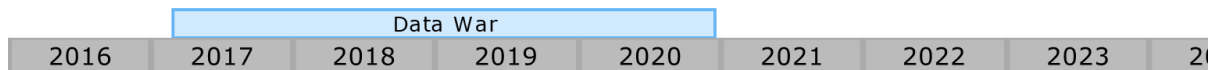
considered akin to a child, unless he continued to make sacrifices necessary to endure the extortion without abandoning his property rights and saw the struggle through to the end to save it.

37. Defendants operated the project from February 2018 through February 2019, using proxies who provided false hope of saving the project to induce more labor, gain access to trade secrets continuing to attempt to coerce or defraud Plaintiff out of his property rights.
38. Defendants are ringleaders in the racketeering conspiracy which constitute a coordinated campaign, aka the Campaign.
39. The enterprises and proxies who had direct contact with Plaintiff, are Action Network and Broadstripes for Action Squared, RagTag for Higher Ground Labs, Colibri and MoveOn for The Movement Cooperative.
40. Defendants' racketeering activity is similar to Huawei's in US v Huawei 1:18-cr-00457-AMD.



Investing the Proceeds

41. Defendants actively misled Plaintiff through April 2020 using false hope of saving the project, ensured no one came to Plaintiff's aid to escape the extortion, fraudulently concealed their actions, and warehoused their infringement longer than the 4 year Federal Statute of Limitations. to prevent Plaintiff from bringing a complaint forward sooner.
42. Defendants fabricated accusations to exclude Plaintiff from industry events and virtual spaces where he might have discovered their schemes. For example, to prevent Plaintiff from attending Personal Democracy Forum 2018, Defendants lied to the organizers claiming that Judge Gorenstein issued a restraining order against Plaintiff.
43. Defendants are portraying Plaintiff as violent and dangerous to conceal their unlawful conduct. It is also a diversion to conceal the fact that Defendants are the aggressors, with a motive for property, profit and gatekeeper powers.

*Data War Timeline*

44. While Defendants mislead Plaintiff with false hope, they were sidelining him during the *Data War* that erupted after the 2016 election. With the election of Donald Trump and the arrival of Billionaires Reid Hoffman, Lauren Powell Jobs, Eric Schmidt, venture capitalist organizations like Higher Ground Labs were set up to direct funding to their portfolio companies in order to gain control over essential technology resources needed by candidates running for elections.
45. The *Data War* was comprised of struggles to gain control over economies of scale such as Voter Files and Disinformation Networks built to replicate tactics used by the GRU, mentioned above, to hack the DNC and influence elections. With the market evolving into a Digital Platform Market, Application Ecosystems, a new economy of scale, became part of the struggle.
46. With OSDI being the largest REST based ecosystem, Defendants and their proxies were passing off the work as their own, exploiting the economy of scale largely built by Plaintiff, and enriched themselves by using the proceeds to secure Venture Capital, and dividing the proceeds between their enterprises. What had been an external network effect was laundered into proprietary walled gardens. Defendants knew Plaintiff would never agree to his intellectual property being used in that way.

Today

- 47.
48. Defendants warehoused their copyright infringement through summer 2022 and 2021 respectively. Their infringement is similar to Microsoft's infringement of Sun's Java copyrights in *Sun v Microsoft* rather than Google's infringement in *Oracle v Google* because it is exploitative rather than transformative.
49. Today, the market for Digital Political Microtargeting Platforms has 2 dominant platforms in a concentrated digital platform market. NGPVAN remains (now part of Bonterra). A new 2nd dominant platform is Action Builder, jointly developed by AFL-CIO and Action Network, merged under the enterprise known as Action Squared, which uses the OSDI spec and ecosystem as its proprietary walled garden. Action Squared used Plaintiff as a shield during a platform disintermediation play.
50. New platforms have also entered the market including CampaignOS from Civitech.
51. The proceeds were also invested in Venture Capitalist Higher Ground Labs with its portfolio companies Shadow Lightrail/Bluelink, which describes itself as a "universal adapter" (now owned by Civitech), Mobilize (acquired by NGPVAN), and New/Mode which leveraged OSDI while gaining a critical mass.

52. Because Civitech acquired Bluelink, by connecting Bluelink with CampaignOS, CampaignOS can get the same head start by leveraging the OSDI economy of scale. Since Bluelink's API is a similar fork of OSDI, many Applications that work with Action Squared will work with CampaignOS with none or little engineering work.
53. Vertical agreements were created with the DNC and other large customer organizations, giving these products an unfair advantage.

Exchanges

- 54.
55. Defendants have integrated "universal adapters" to build "exchanges", which are controlled by the enterprises. The effect is that applications will integrate with exchanges to access data warehouses and use the functionality of the "universal adapters". Examples of this include Bluelink, controlled by Nigher Ground Labs Civitech, and Parson, controlled by The Movement Cooperative, whose largest funder is MoveOn.org. Another is Democratic Data Exchange controlled by the DNC.
56. Since the enterprises control the exchanges, they have control over the "data pipes". As a result they have gatekeeper powers which can be used to engage in discrimination.
57. The effects of Defendant's racketeering activity gained them Gatekeeper Powers over essential resources for candidates running for election. History has shown that the nature of politics is such that if victory for a favored candidate depends on exploiting these gatekeeper powers, it will happen.
58. Their actions have created an artificial inefficiency, which benefits established players and those with significant resources and creates hardship for smaller players. These actions increase customer switching costs, support costs for resellers thus limiting customer choice as well as creates barriers to entry for potential competitors.
59. Plaintiff believes the external network in this market is important to protect, which meant refusing to abandon his property rights, which meant enduring Defendants dangerous coercion.
60. Defendants used women as proxies, so Plaintiff was unaware he was overpowered by people who's goal was misappropriation and disgorgement. Defendants used false hope of saving the project, so they had Plaintiff's full attention. Plaintiff was completely unaware of the Data War, the VCs and the extremely large profit motive.
61. If not for the false hope, Plaintiff would not have continued to fund his time by liquidating assets in his retirement savings. Plaintiff was unaware that he was in a "no way out" situation.
62. Plaintiff's only interaction with Defendants, in his life, is in the context of their exploitation since he met them in 2012.
63. Defendants conspiracy is open-ended. Defendants' grievance with Plaintiff stems from his refusal to go along with their profit motive or proprietary walled gardens, refusal of a funding pitch from Dimitri Mehlhorn, Reid Hoffman's political director, and his refusal to abandon his property rights to the misappropriated IP Defendants used to enriched

themselves.

64. At this point, Defendants have completed the robbery and VC money has changed hands. Plaintiff is a "loose end."
65. Plaintiff seeks the court's help in restraining Defendants Abuse of Process and Litigation Privilege.
66. Plaintiff has been diligent in his research to discover the Campaign's actions and his claims. He has compiled a database of evidence which includes at least 1500 documents, emails, google chats, sms chats, meeting minutes, committee motions, audio recordings of one-party consent telephone calls and relevant podcasts where participants were interviewed.

II JURISDICTION AND VENUE

67. This Court has subject matter jurisdiction over this action pursuant to 18 U.S.C. § 1964
68. Venue is proper in this judicial district pursuant to 18 U.S.C. § 1965 and 28 U.S.C. § 1391 because Plaintiff is subject to personal jurisdiction in this judicial district and resides in this district.

III PARTIES

69. Plaintiff Josh Cohen is a person with his principal place of business in New York, NY.

III.A Defendants

70. Defendant Action Network is a corporation with its principal place of business in Washington, DC.
71. Defendant AFL-CIO is a corporation with its principal place of business in Washington, DC.
72. Defendant Nathan Woodhull is a person with his principal place of business in Hudson, NY.

III.B Non-Parties

73. RagTag is a volunteer development organization that supports progressive causes. RagTag served as a proxy for enterprise Higher Ground Labs, using RagTag's founder, Brady Kriss, and Dan Ryan.
74. According to Brady Kriss's LinkedIn, she earned a Juris Doctor from Northeastern University School of Law in 2007, and LLM, Intellectual Property Law and Policy from University of Washington School of Law.

IV FACTS OF THE CASE

- ▣ Nature of the Case
 - Market Background
 - OSDI Procompetitive Effort
 - Racketeering and Extortion
 - Data War
 - Racketeering to Invest Proceeds

Outline

IV.A Market Background

IV.A.1 Plaintiff's Experience



Photo: "Josh Cohen 94 and Jim Truver 95 are both openly gay students on campus." [D1021]

75. While studying for his BS in Computer Engineering at Lehigh University, in 1993 Plaintiff came out of the closet in the university newspaper "[The Brown and White](#)".
76. Plaintiff quickly found a passion for the craft of interoperability standards and the fairness component of the work. He spent 1996-2012 while employed at UPS, Netscape, Microsoft et al, working within Standards Development Organizations (SDOs) such as IETF, DMTF, ISO, and others. Plaintiff's contributions to the collaborative works of Internet and Web Standards include:

- Co-author with P. Gauthier, M. Dunsmuir, and C. Perkins, of "Web Proxy Auto-Discovery Protocol (WPAD)"³, which since 1999 has been used by major Web Browsers to detect Proxy Servers in enterprise networks.
- Co-author with Y. Goland, and S. Aggarwal of "General Event Notification Architecture (GENA)"⁴, which became chapter 4 of "Universal Plug and Play (UPNP)"⁵, now an ISO Standard implemented by most home routers and many Internet of Things (IoT) systems.
- Plaintiff served as the leader of Microsoft's effort to standardize WS-Management in the Distributed Management Task Force (DMTF.org) and Project Lead in ISO/IEC JTC1 SC38 to standardize WS-Management, negotiating with delegations from Japan, China and other countries to come to consensus on an international standard which was published as an ISO standard in 2012. Since 2006, WS-Management served as remoting protocol for PowerShell, "Windows Management Infrastructure (WMI)"⁶,
- Plaintiff is a contributor to HTTP/1.1 including functionality for Proxy Server support and OPTIONS method.

77. When the government filed US v Microsoft in May 1998, Plaintiff was newly hired Microsoft employee serving as Program Manager for Winlnet component, who's APIs were relevant to the case, which served as the HTTP engine used by Internet Explorer and Windows. Having paid attention, Plaintiff was able to spot parallels between in Defendants' behavior and that of Microsoft's.

IV.A.2 Market Background

78. In the late 2000s, the market for World Wide Web Based Political Microtargeting systems emerged as the Web became mainstream. Political Microtargeting systems function similarly to a Customer Relationship Management (CRM) system that is connected to a Data Warehouse comprised of Voter Files and other marketing data about voters. Voter Files are procured from each state, normalized and integrated, and each year a Voter's registrations, voting history is updated. This is a costly and time consuming task, and as such is an economy of scale.



³ [D645] Document Gauthier, P. (1999). Web Proxy Auto Discovery Protocol, Paul Gauthier, Jo... [D645]

⁴ [D1072] Specification Draft Cohen Gena P Base 01. (1999). [D1072]

⁵ [D1068] Document Universal Plug And Play Wikipedia. (2021). [D1068]

⁶ [D1501] Web Page Ws Management Wikipedia. (2006, November 28). wikipedia.org. wikipedia [D1501, pt windows] [🔗](#)



In 2012 The market was dominated by a single dominant player, NGPVAN. Exclusive vertical agreements with the DNC, who served as data broker, created a virtual monopoly in the US, with the main exception being California which was dominated by Political Data Inc (PDI).

While chair of the DNC, Howard Dean implemented a plan called "50 State Strategy", which ensured that all state parties had access to a voter file and up to date technology.

82. Howard Dean explains the 50 State Strategy on a podcast with NPR on November 13th, 2008.

83. Podcast 11/13/08 2008-11-13 12:39pm "Dean Explains The Democrats' '50-State Strategy'" [T205] Andrea Seabrook, Howard Dean, NPR This is Talk of the Nation; Andrea Seabrook; Howard Dean

84. Howard Dean +03:10 [T205]

the 50 state strategy does not mean we put \$10 million into Utah with three weeks to go, what it means is you have a Democratic presence there, You work hard and you support elected officials there and you have up to the day up to date technology, we put \$40,000 in every state every year To make sure they have a voter file. That's all worked on the same principles. We have a national voter file, which we never had before. We have all the commercial information that the Republicans had for 15 years. We figured out how to use that and identify voters. We have a national party again, because we've competed in every single state.

85. To achieve the goals of the strategy, vertical agreements were created with NGPVAN, which served as they way for campaigns to interact with the voter file and other commercial data.

86. Mike Conlow, who worked at the DNC when the national contract with NGPVAN was signed, discusses this on "The Great Battlefield" Podcast in April 2019, hosted by Nathaniel Perlman, one of the founders of NGP, which was later merged with VAN to become NGPVAN.

87. Podcast 04/19/19 2019-04-19 2:20pm "The Intersection of Technology and Politics with Mike Conlow of Blue State Digital | Episode 291" [T203] Nathaniel G. Pearlman, The Great Battlefield; Mike Conlow; Nathaniel; Announcer




88. Mike Conlow +02:16 [T203]

My name is Mike Conlow... Was at the DNC twice (2006-2007, 2009-2011).

89. M. Conlow +07:09 [T203]

It was a very exciting time, kind of looking back on it, we built what I would call the first real national voter file, the first database, single database that had every voter in the country in it. At the same time we signed the national VAN contract that's now VoteBuilder

90. During the Data Breach in late 2015, this agreement and its effects are discussed.

91.  News  12/20/15 "Sanders data controversy spotlights powerful gatekeeper" [D88]  POLITICO

92.   Nancy Scola [D88]

When Howard Dean took over the DNC after the conclusion of his own presidential race, the Massachusetts-based VAN became the software provider of choice to support his "50 State Strategy," helping to coordinate campaigns up and down the ballot.

93.   N. Scola [D88]

Nearly every Democratic campaign across the U.S. uses NGP VAN in some fashion, though critics say that's due in some part to the fact that the DNC and state Democratic parties force candidates do so as part of the package of receiving party support. The arrangement leaves it up to the Democratic Party to decide which campaigns get access to the software, giving it an enormous gatekeeping power of which the Sanders' campaign felt the force during its temporary suspension of access to the data file.

94.

95.

IV.A.3 Gatekeeper Powers

IV.A.3.a DNC

96. According to multiple candidates, The DNC is in the habit of using its role as gatekeeper to deprive or degrade primary challengers and disfavored candidates access to essential resources for candidates running for election.




97.  News  09/03/19 "Progressive Primary Challengers Hold The Moral High Ground, Progressive Primary Challengers Hold The Moral High Ground | Crooks and Liars" [D1468]  Crooks and Liars

98. **Pro Se note** The shaded header "Progressive..." is a clickable link to source

99.   Rachel Ventura [D1468]

2 1/2 weeks after I announced, I was denied access to Votebuilder. I was given this reason: 'I've heard from our Executive Director. Your request for Votebuilder for Illinois' 11th Congressional District through the Democratic Party of Illinois has been denied due to our regulations that we don't issue subscriptions to candidates challenging an incumbent.'

100. This problem also came to a head during the Data Breach during the 2016 Election, a few days after the Sanders campaign secured the endorsement of a major labor union. As reported in the news:

101.  News  12/22/15 "The real scandal in the Bernie/DNC feud is the one nobody is talking about" [D853]  Salon

102.

 David Dayen [D853]

But there's a crater-sized hole in this reporting. The reason this controversy sprung up in the first place is that the DNC has been facilitating a monopoly, with all the usual results from that decision.

In fact, it's a case study in why policymakers should aggressively protect against monopolies.

103.

In 2017, the DNC degraded data and services to primary challengers including Anthony Clark.

104.

 News  12/11/17 "Justice Democrat Candidates Have Been Denied Access to DNC Voter Data | WIRED, Progressive Democrats Fight For Access to the Party's Voter Data" [D90]  WIRED

105.

 Issie Lapowsky [D90]

VoteBuilder has become the central nervous system of every Democratic campaign, housing years of information on just about every contact the party has ever made with every voter.

Developed through a partnership between the DNC and a company called NGP VAN, the tool gives campaigns the inside track on potential donors, volunteers, or voters out of a pool of thousands or, in the case of a presidential election, millions of people

106.

 I. Lapowsky [D90]

But thanks to an intricate system of state-by-state rules governing who gets access to that data---a system critics say is tailor-made to protect incumbents---some Democratic primary challengers, like Clark, are being denied access to this critical pool of information by their own party.

107.

 I. Lapowsky [D90]

Rather than allow access to VoteBuilder, the state party instead directed Clark to a tool called SmartVAN, another NGP VAN product that lacks proprietary DNC voter data.

IV.A.3.b AFL-CIO

108.

This did not sit well with big gorilla AFL-CIO, who partnered with the Clinton cohort to build their own Data Warehouse called Catalist, with its first customer being a labor endorsed primary challenger.

109.

 News  01/30/12 "Forget the Super-PACs: The Parties Data Mining Operations Might Be More Influential in 2012" [D590]  Slate Magazine

110.

 Mike Podhorzer, political director of the AFL-CIO [D590]

"We are not Democrats and not all of our members are Democrats," says Mike Podhorzer, the political director of the AFL-CIO, which was one of Catalist's first customers and relied on the company's data when it backed a liberal challenger to dislodge incumbent Democratic Sen. Blanche Lambert Lincoln in a 2010 Arkansas primary.





111.



 Sasha Issenberg [D590]

On the Democratic side, some of those allies set out to develop their own voter file, outside the Federal Election Commission's oversight. In 2006, former Clinton aides Laura Quinn and Harold Ickes---among a cadre of old party hands suspicious of Dean and his "50-state strategy"---raised \$5 million from private investors, including



George Soros, to build a private data warehouse with records for the entire voting-age population. Called Catalist, the theoretically for-profit company imagined itself as a public utility, with less interest in returning a profit to its investors than becoming an indispensable tactical resource for the American left.

IV.A.3.c The Netroots



112. The "Netroots" a term coined during the Howard Dean campaign, evolved from blogs MyDD and DailyKos. By 2005, the Netroots had gained enough power to influence the DNC Chair election, swinging it towards Howard Dean as the new Chair.
113. Netroots Nation began as YearlyKos which were DailyKos meetups starting in 2006. The Netroots itself weighed in on essential technology resources for candidates running for election.
114. A controversial topic was NationBuilder, a bipartisan platform that served both Republicans and Democrats.
115.  News  07/12/12 "Nation Builder Signs Software Deal With Rslc" [D1155]
116.   SARAH LAI STIRLAND [D1155]

A core group of progressive political strategists are in some cases boycotting the political software firm NationBuilder and in others are steering business elsewhere after the company announced it had reached a deal with the Republican State Leadership Committee.
117.   Raven Brooks, Netroots Nation [D1155]

"At this point, I don't think it's in the interest of progressive causes and candidates to keep supporting a platform that's basically taking a side," Raven Brooks told techPresident.

Brooks is the executive director of Netroots Nation, a conference that thousands of left-leaning bloggers, activists and Democratic strategists attend each year to brush up on their organizing and movement-building skills.
118.   R. Brooks [D1155]

As a former coder and developer himself, Brooks notes that campaigns continually provide feedback to software providers in order to improve their product, which means that progressive campaigns that use NationBuilder to provide feedback are ultimately improving the product for their opponents as well.

Asked whether it was inevitable that the Republicans would build their own infrastructure, Brooks responded: "The important thing to note is that what they've done is usually a poor copy of the original."
119. Raven's point about feedback improving products and resulting intellectual property *leaking* to Republicans/Conservatives by their use of the product is one of the failure modes of previous attempts to create standardized APIs in this market.
120.   Jason Rosenbaum, Progressive Change Campaign [D1155]

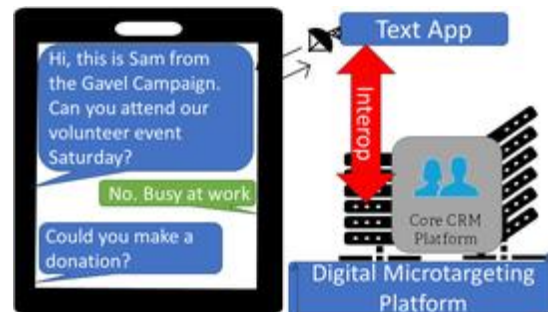
Other organizers, such as Jason Rosenbaum, the Progressive Change Campaign Committee's senior online campaign director, calls what NationBuilder is doing "evil." "As it stands now, progressives should think carefully about who they're helping when they use NationBuilder -- every dollar you spend directly aids your opponents," he told techPresident in an email. "The [RSLC] are the folks who helped pass Scott Walker's agenda, who want to give transvaginal ultrasounds to women, who want to disenfranchise the minorities, who want to keep the rich rich and the poor poor. Helping

them win elections is pretty evil," he said. "Fortunately, there are competitive toolsets at competitive prices available to campaigns, especially on the new media side. Progressives don't have to work with a company like NationBuilder that's now the 'technology [behind] the bulk of the nationwide Republican races,' in the words of NationBuilder's own President Joe Green."

121. Jason Rosenbaum has a Music Technology degree, and was a blogger on MyDD. He and Brian Young subsequently founded Action Network.

IV.A.4 Evolution To A Digital Platform Market

122. In the early 2000s, Microsoft and Sun Microsystems resolved their differences and agreed on SOAP/XML as a protocol to interoperate between Java and .NET, which were the two dominant development frameworks. SOAP/XML became a substrate layered on HTTP, enabling web based systems to communicate programmatically and thus enabled Web Based Digital Platforms.
123. By leveraging SOAP/XML the market for political technology evolved to become a Digital Platform Market.
124. Many Americans have received text messages from political campaigns which ask questions. These text messaging applications (aka Peer to Peer texting) are part of a category of applications which integrate with a Digital Microtargeting Platform. These platforms are connected to a political data warehouse that includes Voter Files enriched with marketing information and other data sources which create profiles of voters.



















IV.A.5 Application Ecosystems Become A New Economy of Scale

125. The effect of this evolution was that Application Ecosystems were a new economy of scale. When functioning as external network effect as OSDI did, market players compete based on functionality and innovation. However, if laundered into proprietary walled gardens aka a proprietary App Stores, then big gorillas can use dominant control as gatekeeper powers over essential resources for candidates running for election.

IV.B OSDI Procompetitive Effort

- OSDI Procompetitive Effort
 - Market Background
 - OSDI Founding
 - Early Racketeering
 - 2x ROI External Network Effect
 - Mitigate Vertical Agreements
 - Venture Capitalists Arrive
 - Racketeering / Robbery by Extortion



IV.B.1 OSDI Ideation

126. Plaintiff was employed at Microsoft, specializing in Standards work 1997-2000, 2003-2012. Plaintiff left Microsoft in 2012 to serve as Director of Technology for the 2012 Washington gay marriage campaign. After the victory, Plaintiff decided to use his proficiency, labor, funded by retirement savings to found Open Supporter Data Interface (OSDI) which functioned like an SDO, adopting best practices he learned from his experience and governed as a democratic level playing field to build an external network effect.
127. Plaintiff began discussing the idea at the beginning of the campaign in February 2012 with ActBlue founder Matt DeBergalis, who's position was an example of the common wisdom at the time, which was that the task was infeasible.
128.  Email Subject  02/08/12  2012-02-08 1:56am "Email between Josh Cohen and ActBlue founder Matt DeBergalis" [D565]  Josh Cohen
129. Common API efforts had commonly been attempted, but always failed quickly and predictably.
130.   Matt DeBergalis, founder, ActBlue  2012-02-09 1:56am [D565]
- Hi Josh. Curious what you're thinking about.
Folks have been talking about interop standards for progressive tech for at least as long as I've been around, but rarely does it come to anything -- the big impediments are political (surprise!), not technical.
131.   Josh Cohen  2:59p [D565]
- My current professional job is developing standards in a number of areas (cloud management for example) on a technical and organizational basis on behalf of Microsoft. (yeah, I know some would consider that an oxymoron, but I have experience working with other companies that don't necessarily want to agree with us)
132. Defendants also assumed that the dominant player (NGPVAN) would ignore the standardization effort, as dominant players often do. However, Defendants underestimated or were unaware of the impact the industry transition from SOAP/XML to REST/JSON would lead NGPVAN to implement.
133.   M. DeBergalis  3:39p [D565]
- The biggest factor I've seen with (1) is the full stack vendors' desire to sell add-on components. They have zero incentive to open up the data APIs because it eliminates the "everything works smoothly together when you use our stuff" advantage.
134.   Seth Bannon, Amicus  5:20p [D565]
- This path forward both highlights the difficulty but also the possibility of pulling this off.

IV.B.2 VC New Media Ventures

135. Plaintiff was introduced to Nathan Woodhull in 2012 through recommendation by Venture Capitalists New Media Ventures. Nathan Woodhull was previously employed at the DNC and Act Blue.

136. Brian Elliot forwarded Plaintiff's email with Matt Debergalis to VC New Media Ventures.

137.  Email Subject  02/15/12  2012-02-15 7:00pm "Fwd: Matt <-> Josh" [D1057*]  Brian Elliot

138.   Christina George, NMV  5:11p [D1057]

YES PLEASE to connecting me with Josh (and if you can ask permission to intro us by fwd'ing the thread even better, so we don't start from scratch). Everything he articulates has been among my biggest learning from this year. There are a few other people (Nathan Woodhull, Josh Hendler, Anthea Watson that have also been thinking along similar lines).

139.   Brian Elliot  6:58p [D1057]

I'll follow up with Josh Cohen and see if I can make an intro. The more I think of it, do you think this might be a project he could take on as an NOI Fellow? I know he's itching to leave Microsoft, but doesn't know where to go. Just a thought if the movement is looking to pick up another soldier...

140.   B. Elliot  7:00p [D1057]



Hey Josh, See the message below from Christie George and do not forward. She's the head of New Media Ventures, a progressive funding arm of the Democracy Alliance that funds startups. See her response. Before mentioning to Seth Bannon I'm connecting you, let's be sure to talk. Also, do you know about the New Organizing Initiative Fellowships? Might that be a role that's of interest to you? Talk soon

IV.B.3 Plaintiff becomes Director of Technology for Washington Gay Marriage Campaign

141.  Document  04/02/12 "Consultant Agreement signed WUM Technology Director joshco" [D273]

142.   Zach Silk, WUFM [D273]



This agreement is made between Washington United for Marriage ("WUM"), a Washington corporation, and Josh Cohen ("Consultant").
In consideration of the mutual promises and consideration set forth below, the parties agree as follows:

143.   Z. Silk [D273]

Consultant shall serve as Technology Director for the WUM campaign to achieve marriage equality

IV.B.3.a OSDI Founding





144. OSDI began with a kick-off panel at RootsCamp 2012, discussing interoperability issues and costs driven by proprietary APIs. Plaintiff moderated panel, which included NGPVAN, Nathan Woodhull, Amicus, Nationbuilder.

145.  Web Page  12/05/12 "Rootscamp 2012 Wall" [D1476]

146.  [D1476]

Room 141 : Making Salse, NGPVAN, Amicus, Nation Builder Get Along W/O CSV Suffering

147. Committee meetings began in early 2013, including NGPVAN, Amicus, Salsa, Nathan Woodhull/ControlShift. Plaintiff authored a baseline specification and shared it with the group.





148.  Email Subject  04/03/13  2013-04-03 10:13am "Draft for 4/3 call" [D685*]  Josh Cohen

149.   Josh Cohen  10:13a [D685]





Hi Folks, I've drafted some model work based on our last meeting's conversations. It is attached for discussion on this week's call. (4/3 4pm est) The key challenge from our last discussion was how to keep relative simplicity for doing very common things like "Show me the most recent donations", "Show event signups" but also allow interaction style modeling.

150. Plaintiff travelled to industry conferences leading talks on the benefits of a standardized API and the external network effects that serves as a tide that lifts all ships including RootsCamp 2012-2016, Netroots Nation 2013-2017 (Plaintiff had attended every Netroots Nation since its beginning in 2006).





151. At Netroots Nation, OSDI was the focus of the Data and Tech Caucus

152.  Conference Session  07/18/14  2014-07-18 11:00am "OSDI Data and Tech Caucus Netroots Nation" [D1147] 

153.  Conference Session  12/13/14  2014-12-13 "The Schedule" [D1973] 





154.  Conference Session  07/16/15  2015-07-16 6:45pm "OSDI Data and Tech Caucus Netroots Nation" [D1148] 

155. In July 2015, Plaintiff was invited to give a presentation on OSDI to Hillary for America

156.  Email Subject  07/22/15  2015-07-22 4:46pm "Invitation: OSDI Tech Talk by Josh Cohen / OSDI Chairman @ Fri Jul 24, 2015 1pm - 2pm (joshco@gmail.com)" [D1123]  Joshco

157.   Stephanie Hannon  4:46p [D1123]

You have been invited to the following event.
Title: OSDI Tech Talk by Josh Cohen / OSDI Chairman The Open Supporter Data Interface (OSDI) is a common Application Programming Interface (API) defined by a critical mass of progressive vendors and organizations that allows for data to move easily between systems.

158.  Event  11/20/16  2016-11-20 2:00pm "Rootscamp: One API to rule them all, one API to bind them" [D1441] 

159.  Conference Session  07/14/16  2016-07-14 2:00pm "Netroots Nation Data and Technology Caucus" [D1149] 

160.  Conference Session  08/11/17  2017-08-11 1:00pm "Facebook NN17 OSDI Session" [D236]  Facebook;  Facebook Notifier;  Facebook




161. By Netroots Nation 2013 in June, Plaintiff built a prototype platform implementation and a Developer Preview of the specification was released at the conference.

162. Document 06/18/13 "osdi nn13 booth materials" [D307]
163. [D307]
osdi nn13 booth materials
164. Email Subject 06/18/13 1:53p "Gmail Last Minute Booth Details Netroots Nation" [D1885]
165. 1:53p [D1885]
Gmail Last Minute Booth Details Netroots Nation
166. Specification 06/19/13 "GitHub - opensupporter/osdi-docs at nn13" [D815] GitHub
167. github [D815]
OSDI Specification. Contribute to opensupporter/osdi-docs development by creating an account on GitHub.
168. Email Subject 04/10/13 2013-04-10 10:12pm "OSDI Prototype Implementation" [D308] @ List dev, Josh Cohen
169. [View on osdi-dev](#)
170. Josh Cohen 10:12p [D308]
I've written a quick prototype of the Person, and Address API.
171. The bulk of the labor to build the ecosystem and authorship of the essential IP in the spec are Plaintiff's contributions. If the contributions of all other contributors are removed, the specification core and primary resources are still sufficiently well specified for interoperable implementations.
172. Plaintiff's contributions were based on terms of democracy as a governance model, "one company one vote" level playing field to build an external network effect so market players can compete at the level of the market.
173. The most commonly used parts of the specification are the OSDI Helpers, in particular Person Signup Helper, originally authored by Plaintiff in June 2014.
174. Specification 04/30/14 "person helper * opensupporter/osdi-docs@e4f894d" [D1526] GitHub
175. Specification 06/12/14 "person_signup_helper move input person attrs under person parent key... * opensupporter/osdi-docs@a1e2904" [D1525] GitHub

IV.B.3.b OSDI Democracy and Progressive Keel

176. An early accomplishment was negotiating a policy that partitioned participation in the committees based on whether a prospective member served progressive candidates only, served bipartisan candidates, or was a generic technology provider such as Microsoft. This nuanced policy was defined as a matrix, along with democracy as a governance model, approved by vote in August 2013.

177. By January 2014, it was obvious that OSDI had already exceeded past efforts progress.

178.  Web Page  01/15/14 "Meet the former Microsoft employee who wants to liberate liberal data" [D347]  Washington Post

179.  [D347]

Meet the former Microsoft employee who wants to liberate liberal data
In 2012, the [Washington United for Marriage, the progressive coalition pushing for same-sex marriage in Washington state] raised nearly \$10 million and succeeded in helping pass a marriage-equality ballot referendum.
Cohen ran the technology behind the effort --- a task that was about as easy as building a jigsaw puzzle using pieces that came from a dozen different boxes

180.  [D347]

Here's an example. One of the ways that Washington United for Marriage raised money was by encouraging everyday supporters to act as fundraisers. When reporting to the government how much money it had pulled in, Washington United for Marriage had to somehow aggregate that data from various vendors. The problem was that not every provider allowed Cohen to grab the data automatically --- and even when he did get a hold of the information, the inconsistencies across spreadsheets made it a chore to merge anything

181.  [D347]

Cohen's background in designing standards comes in handy. And it's why some are so optimistic about OSDI after having repeatedly tried and failed to implement something like it over the years.

182.  [D347]

The demand for a solution convinced a handful of powerful organizations in Democratic politics to take on the project together.
The Open Supporter Data Interface (OSDI) ropes in Catalist and NGP VAN, two of the heavy hitters in left-wing data and political organizing and with strong connections to the Democratic party. Other members include Salsa Labs --- one of the most popular campaigning tools for smaller groups --- and Blue State Digital, the political consulting firm founded by alums of Howard Dean's 2004 presidential bid.

183.  [D347]

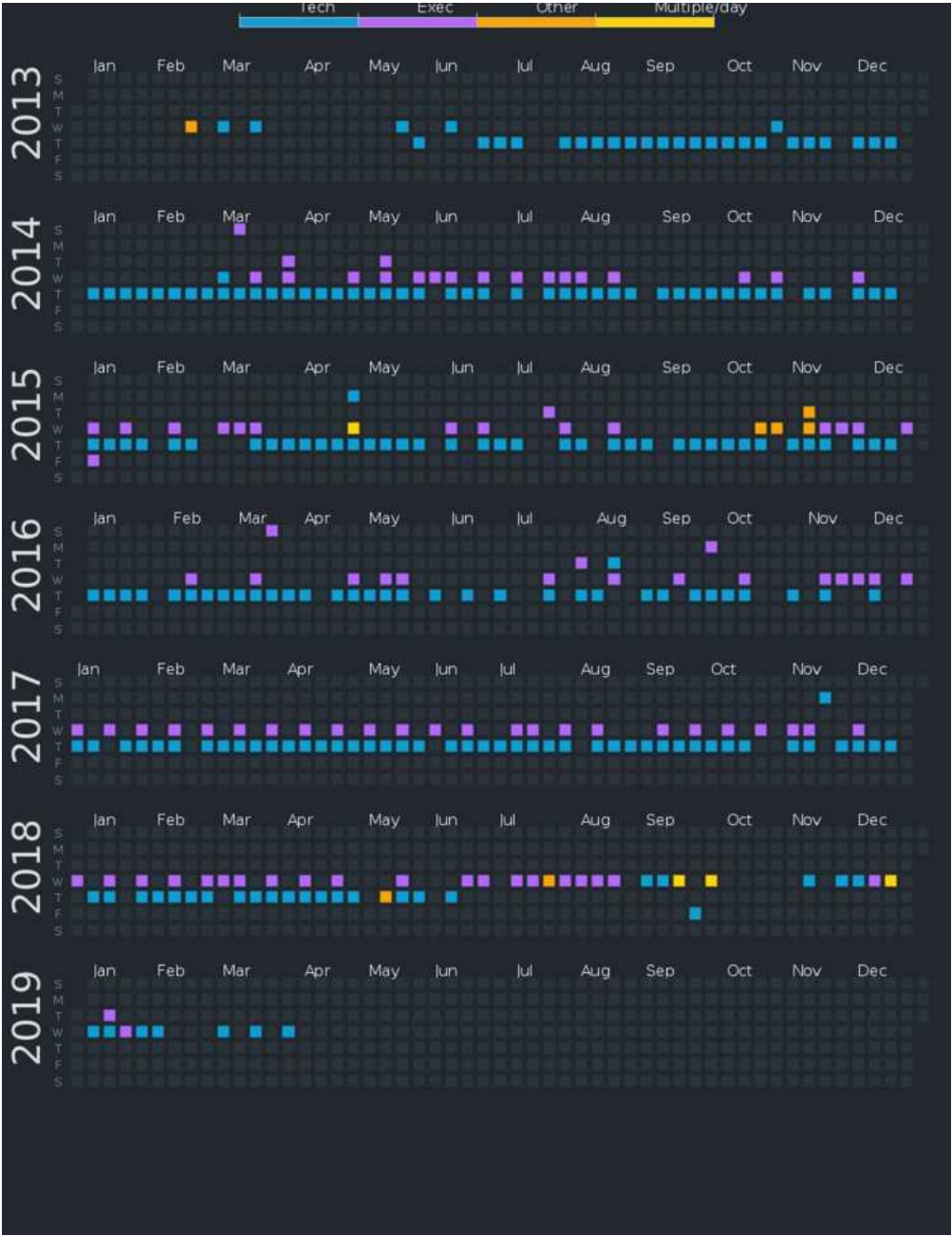
Many of these companies provide one or two staff members to contribute a few hours a week to OSDI. Others are hashing out in negotiations what the final product ought to look like

184.   Seth Bannon, Amicus [D347]

"We've never had someone like Josh. He's like, in love with standards in a really bizarre way," joked Seth Bannon, the chief executive of Amicus and an OSDI partner. "I don't think we've had someone who's so purely a standards person. And he's seen as impartial, because he doesn't come from any of the providers in this space."



337 meetings functioning as democracy



[D934]




- 185. Meeting Agendas, Minutes, Motions and committee business are saved on the committee google groups, osdi-dev, osdi-exec, osdi-governance; Lucid Meeting system; and other archives
- 186. <https://groups.google.com/g/osdi-exec/>
- 187. <https://groups.google.com/g/osdi-governance>

188. <https://groups.google.com/g/osdi-dev>
189. The OSDI specification is written in Markdown on version controlled via its GitHub repository.
190. <https://github.com/opensupporter/osdi-docs>

IV.B.4 Action Network Joins

191. Action Network was founded in 2013 as a digital toolset jointly developed by Action Network and AFL-CIO.
192. Action Network, AFL-CIO, and Nathan Woodhull/ControlShift's strategy depended on OSDI failing quickly, or being able to make it fail in order to misappropriate the work and economy of scale to get a head start on their proprietary walled gardens. However, OSDI succeeded through 2019, despite Defendants' increasingly complex schemes to undermine it.
193. The state of the OSDI specification before Action Network's first commit, which was to add their names to the author list is tagged with "precan"

194.  Specification ⓘ 10/24/13 "GitHub - opensupporter/osdi-docs at precan" [D811]
 GitHub

195.   Josh Cohen, OSDI [D811]
 OSDI Specs, prior to Action Network Participation. Branch *precan*

196. Action Network joined the project in November 2013, implemented the specification using source code provided by plaintiff (copyright registration Txu 2-386-143).

197.  Email Subject ⓘ 09/17/13 ⓘ 2013-09-17 4:27pm "intros" [D1960*]  Beth Becker

198.   Beth Becker ⓘ 4:27p [D1960]

Josh...meet my friend Jason Rosenbaum of Action Network Jason...meet my friend Josh Cohen. You've probably heard rumbling about the common API project and Josh is involved with that. Thought you two would have much to chat about :)

199.   B. Becker ⓘ 4:28p [D1960]

Josh- meet my friend Drew Bernard of Action Sprout Drew...meet my friend Josh Cohen who is working with a small group of people on an open API thing. I'll let y'all chat :)

200.   Jason Rosenbaum ⓘ 5:02p [D1960]

Thanks Beth! Nice to meet you, Josh. I was talking with Tim Anderegg a bit last week about the project, it's definitely something we're very interested in as we make plans for our API.

201.   Josh Cohen ⓘ 2013-09-26 12:03am [D1960]

Great, including Tim.

First off, congrats on the launch of your toolset. It's great to see more affordable progressive tech becoming available.

As far as your API plans, what can you share about your timeline? Our goal is to have a stable v1 of the API spec by the end of the year, and a work-in-progress or 'beta' released in mid October.

I want to make sure that, as we prepare these milestones, that we've made technical choices and address scenarios that are reasonably aligned with your architecture. I want to make sure that the API is reasonably cheap for you to implement. There are a number of ways for you or your staff to be involved in the project. Would it make sense to get on the phone or should we continue in email?
Josh





202.   Brian Young  9:47a [D1960]

Hey Josh, Jason's off getting married this weekend, so he's out of touch for a bit happy to chat in some broad strokes about this, but Jason's our Director of Tech and really the guy to deal with the timeline and implementation on it. I share his interest in your project, though! We're moving to building out some APIs, as Jason mentioned.
Brian
PS Hi, Beth!

IV.B.5 VC New Media Ventures / Universal Adapter Proposal

203. Via email on December 11th, 2013, Woodhull communicated a plan where he and partners applied for funding from New Media Ventures to build a "universal adapter".



204.  Email Subject  12/11/13  2013-12-11 10:36pm "activity" [D1991*]  Nathan Woodhull

205.   Nathan Woodhull  10:36p [D1991]

applied for funding from New Media Ventures for a bunch of things, a small chunk of which was funding to write a "universal adapter" to provide a common API binding to a few CRM vendors that their member organizations use... we'd likely do the implementation work if they were to get funding... I'd look to OSDI spec for a common interface.

206. If OSDI succeeded, then this would not be a viable business because applications could integrate directly with any compliant platform.

207. In order for the universal adapter to be viable for venture capitalists to fund OSDI would need to fail. Thus Woodhull had motive to destroy OSDI.








































208. It was only after this was accomplished with racketeering and extortion, that VCs began funding "universal adapter" style products. This includes Gerard Niemera's Lightrail in 2019, which describes itself with the same term "universal adapter", and Woodhull's DaisyChain in 2023.

Action Network elected as VP Outreach




209.

210. In March 2014, the organization expanded by creating a new Executive Committee,

which was a subset of the Governance Committee, with the purpose of sharing power, workload and leadership positions.

211. The positions and elected representatives:
- VP of Marketing Seth Bannon Amicus
 - VP of Membership Ray Suelzer UFCW
 - VP of Education Tim Anderegg NOI
 - VP of Logistics Drew Miller NGP VAN
 - VP of Endorsements Gayatri Bhalla Catalist
 - VP of Outreach Jason Rosenbaum Corporate Action Network
 - Chair Josh Cohen
212. Jason Rosenbaum/Action Network was elected as VP of Outreach, which had responsibility for outreach within the community.
213. This gave Action Network the power to control perceptions within the community, which they abused by misrepresenting the effort.
214.  Email Subject  03/07/14  2014-03-07 1:07am "Motion Appoint Executive Officers and instantiate Executive Committee" [D230*]  Josh Cohen
215.   Josh Cohen  1:07a [D230]
-  Please cast your votes by Tuesday March 11, 5pm Eastern Time.
216.   J. Cohen  1:07a [D230]
-  <https://docs.google.com/document/d/1AKKOzUJVeWr93b9docXhAimvjxaK4ZwwshAcbn4O5Es/edit?usp=sharing>
217.   Seth Bannon  3:12a [D230]
-  vote yea
218.   Jason Rosenbaum  7:37a [D230]
-  aye!
219.   Tim Anderegg  2014-03-10 10:55am [D230]
-  NOI votes yes.
220.   Benjamin Stein  10:57a [D230]
-  Mobile Commons votes AYE to all
221.   Charles Parsons  11:03a [D230]
-  Salsa votes Yes.
222.   Nathan Woodhull  11:05a [D230]
-  YES!
223.   Raymond Suelzer  11:25a [D230]

Ufcw votes yes to all. Sent from a device in my hand, capable of accessing all information known to humynkind. Please forgive typos.

224.   Anthony Whittaker  11:29a [D230]





Awesome.

225.   Luke Peterson  12:16p [D230]

aye!

IV.B.6 Action Network Implements

226. Action Network launched their OSDI platform implementation in April 4, 2014.

227.  Email Subject  04/08/14  2014-04-08 11:27am "[osdi] Our OSDI API has launched!" [D403]  Jason Rosenbaum

228.   Jason Rosenbaum, Action Network  11:27a [D403]





Hey folks, wanted to let everyone know that we officially launched our OSDI API last week! Check out the documentation and browser here:

LINK

And let me know if you want an API key!





IV.B.7 Broadstripes Joins

229. On 4/21/2014, Broadstripes joins, who stated that they became aware of OSDI through the AFL-CIO. Broadstripes would later serve as a proxy during the racketeering and extortion.

230.  Email Subject  04/21/14  2014-04-21 3:52pm "MOTION to approve BroadStripes as Tech Committee member" [D2002]  Josh Cohen

IV.B.8 Netroots Nation Joins

231. With Action Network Having benefited from the existing work, the vulnerability identified (OSDI's progressive keel) which they would use in their attempt to undermine the coalition and misappropriate the work, Netroots Nation joined the conspiracy, waiting for that to happen.

232.  Email Subject  05/02/14  2014-05-02 12:34am "welcome to osdi" [D1962*]  Josh Cohen

233.   Josh Cohen  12:34a [D1962]

Hi Raven,

I just wanted to drop you a quick note and say hello and that we're happy Netroots Nation has come onboard in our customer coalition.

One thing that's available to you if you wish, is give an overview of your integration scenarios/wishes/challenges to the technical committee. We like hearing from customers/users so we know we're solving the right problems well.

If you are ever interested in that, let me know and we'll put you on the agenda. Our committee teleconferences are Thursdays at 3pm eastern.

This is especially cool because OSDI made its public coming out at Netroots Nation 2013, and we're looking forward to this year's conference. Our fingers are crossed for the panel selection.

If you have any questions, feel free to contact me.

234.   Raven Brooks  11:42a [D1962]

Thanks for the note Josh and we'll let you know if we've got a problem we want to put on the agenda.

Also really love hearing about the origins of OSDI. Didn't realize that was the case so that's awesome!

IV.B.9 New Media Ventures Partners with Netroots Nation

235. On July 2, 2014, Plaintiff received email [D1992] from Mary Rickles of Netroots Nation announcing "New Tools Shootout" in partnership with New Media Ventures, which was to take place at Netroots Nation 2014. OSDI was a contender for the category "Best Startup Technology".

IV.B.10 Early Racketeering

236. Once Action Network implemented, they attempted to undermine the project using parallel conduct with Nathan Woodhull and the DNC to antagonize the dominant player, NGPVAN, while the DNC lured NGPVAN away with support for NGPVAN's proprietary API and attempted to recruit Plaintiff to their cause.

237. This attempt failed, Plaintiff declined and decided he would either secure an implementation commitment from NGPVAN, which he did, or abandon the project. and Plaintiff also insisted that Action Network promised to respect OSDI's democracy and not undermine it, which they affirmed on stage at SXSW 2015.

238. Plaintiff spent between August 2014 and February 2015 diligently working to reverse the damage, succeeding and securing an implementation commitment that NGPVAN followed through on.

239.  News  08/20/14 "NGP VAN Launches Proprietary Innovation Platform" [D424]

240.   Stu Trevelyan [D424]

The new set of APIs for the NGP VAN products are built on the easy-to-use RESTful architecture. This allows campaigns and companies to pull information from, and push information to NGP VAN, and use our services.

241.   S. Trevelyan [D424]

VAN APIs are behind the recently released DNC Arbor Project, the next generation voter registration toolset, and MiniVAN, the iOS and Android apps that power mobile canvassing

242.   S. Trevelyan [D424]

NGP VAN released part of the platform in partnership with the Democratic National Committee, as part of the DNC's "Project Ivy."

243. NGPVAN had gone down the proprietary API route.

244. The evening of August 20th, 2014, Plaintiff chatted with Jason Rosenbaum via chat.

245. Chat 08/20/14 8:53p "NGP VAN's Innovation Platform Event" [D420]

246. Josh Cohen 8:53p [D420]

Did u watch the van event?

247. Jason Rosenbaum 8:53p [D420]

Yep

248. J. Cohen 9:30p [D420]

Imho we want the ecosystem api to be controlled by community/democracy not the party+van

249. J. Rosenbaum 9:30p [D420]

True. Though that's a long term project. I'd settle for being one of two for now...

250. J. Cohen 9:31p [D420]

One of two?

251. J. Rosenbaum 9:31p [D420]

Two widely used progressive Apis

252. Jason Rosenbaum then attempted to convince Plaintiff that the project had "failed" and recruit Plaintiff to work at Action Network to build their proprietary API and ecosystem.

253. Plaintiff declined and decided that he would either secure an implementation commitment from NGPVAM, or abandon the project.

254. Plaintiff worked his way up NGPVAN's management to meet with CEO Stu Trevlean and negotiate. Plaintiff prepared for the meeting by discussing it with Drew Miller, NGPVAN's VP of Research and Development over Google Chat:

255. Josh Cohen 2014-12-13 12:13pm [D1505]

should we prep at all before I meet with stu tomorrow?

256. Drew Miller, VP of Research and Development, cited the DNC support as a justification.

257. Drew Miller 12:29p [D1505]

the NGP VAN Next stuff and API portal for us / DNC got a pretty good response

258. D. Miller 12:32p [D1505]

DNC wants to do another panel talking about it




































259. Already in December of 2014, OSDI had 1 platform in an adjacent market, and its ecosystem was bigger than NGPVAN's REST API ecosystem. The dominant ecosystem was NGPVAN's based on SOAP/XML, the previous generation of technology.

260. D. Miller 12:50p [D1505]

I did get a question from Aharon that was basically "why don't we just take over OSDI"

261. D. Miller 12:50p [D1505]

he wants to be the leader on things

262.   D. Miller  12:50p [D1505]
his view on OSDI is that it is most valuable if we are like driving adoption of it and clearly the best implementer etc.
263. At various times, the big gorillas tried to gain dominant control over OSDI.
264. Plaintiff met with Stu Trevalyan in December 2013, securing an implementation commitment from NGPVAN. Plaintiff learned from Stu that the reason NGPVAN stepped back from OSDI was because Action Network antagonized them by grossly mistaking the Progressive Keel policy and treated OSDI as its own proprietary API.
265. Plaintiff confronted Jason Rosenbaum about this
266.  Chat  12/19/14  2014-12-19 3:53pm "Josh reports back on meeting with VAN CEO" [D436]
267.   Josh Cohen  3:59p [D436]
Had my meeting with stu trevalyan today. You are famous for your nationbuilder is welcome statement
268.   Jason Rosenbaum  3:59p [D436]
Lol
269.   J. Cohen  4:03p [D436]
It was a productive convo. He signaled support for a dialog about what changes osdi needs to make for van to do it. We're going to meet again in Jan. he wants a deeper discussion on governance, ie your statement
270.   J. Rosenbaum  4:30p [D436]
Sure. I mean, I meant they could join industry. But we can change our policy too.
271. Plaintiff insisted that Action Network promise not to undermine the project and to respect OSDI's democracy. Action Network made these promises and affirmed this in public, on stage at SXSW 2015.
272.  Conference Session  03/13/15  2015-03-13 11:00am "Turbocharging Social Activism with Data Standards,Turbocharging Social Activism with Data Standards | SXSW 2015 Event Schedule" [D482]  SXSW Schedule 2015,  sxsw;  Sxsw
273.  Audio  03/13/15  11:00a "Turbocharging Social Activism with Data Standards" [T105]  ;  Jason Rosenbaum, Action Network;  Gayatri Bhalla, Catalyst;  Josh Cohen, Self;  Tim Anderegg, Independent
274.   Jason Rosenbaum  +18:21 [T105]
I think the way the way people implement is really within the standards process. We are very intentional about the process. It's a democratic structure and where most of the work gets done in the tech committee. We have people who make proposals and make motions and we vote on it.
275. Defendants treated OSDI's nuanced "Progressive Keel" policy as a vulnerability to exploit to instigate a conflict that would antagonize NGPVAN, in hopes of misappropriating OSDI and its ecosystem as Action Network/AFL-CIO's proprietary walled garden.



Exploit Progressive Keel

IV.B.11 Exploiting Vulnerabilities

276. From the outset Nathan Woodhull, Jason Rosenbaum, and Brian Young aka JBN were exploiting vulnerabilities to induce responses they could misrepresent. To Plaintiff, JBN portrayed NGPVAN as a bad actor for abandoning the standard and going down the proprietary route on the *front stage*. However, in truth, they provoked NGPVAN's actions on the *back stage*.
277. Despite their promises, Defendants covertly continued their racketeering and exploitation of project vulnerabilities † avoid appearing homophobic or hypocritical. This included a pattern of wire fraud to misrepresent copyright authorship and later, exploiting personal vulnerabilities with actions that endangered Plaintiff's safety, business and property to facilitate robbery by extortion.
278. Robyn Swirling was employed at Action Network May 2014 - Sep 2015, working alongside Jason Rosenbaum on the Action Network product. Both were colleagues at Progressive Change Campaign during the 2012 election cycle.
279. Conference Session 07/16/15 2015-07-16 3:45pm "Master Class: Action Network, Master Class: Action Network | Netroots Nation" [D847] Netroots Nation, Netroots Nation; Netroots Nation; Action Network, Coop, Coop
280. N. Nation 3:45p [D847]
- Robyn Swirling is the Digital Organizer at Action Network, where she trains new users on Action Network's toolset and works with partners to develop their digital strategy.

IV.B.12 Platform 2 NGPVAN

281. In 2015, OSDI had platform implementations from the dominant player, NGPVAN, and new entrant in an adjacent market, Action Network. Plaintiff contributed source code in order to mitigate a self-preferencing technical architecture.
282. The effect of this was that an application vendor could write an OSDI connector, and gain a 2x ROI for interoperability with the dominant player, which was a requirement, as well as a fledgling new startup that was starting from zero.
283. In September 2015, NGPVAN launched OSDI their implementation.
284. Email Subject 09/09/15 2015-09-09 10:43am "[osdi-gov] VAN's OSDI Implementation launched this week!" [D312] @ List dev, Shai Sachs
285. Shai Sachs 10:43a [D312]

Hi friends, I'm pleased to report that we launched our OSDI implementation this week! The text from our VAN "What's New" post appears below, and I think there'll be a little more hoopla later this month or next. In the meantime, enjoy all that HALLY goodness!

286. Web Page 09/12/15 "NGP VAN Developer Portal" [D1801]

287. NGPVAN's web page for its implementation of OSDI Person Signup Helper

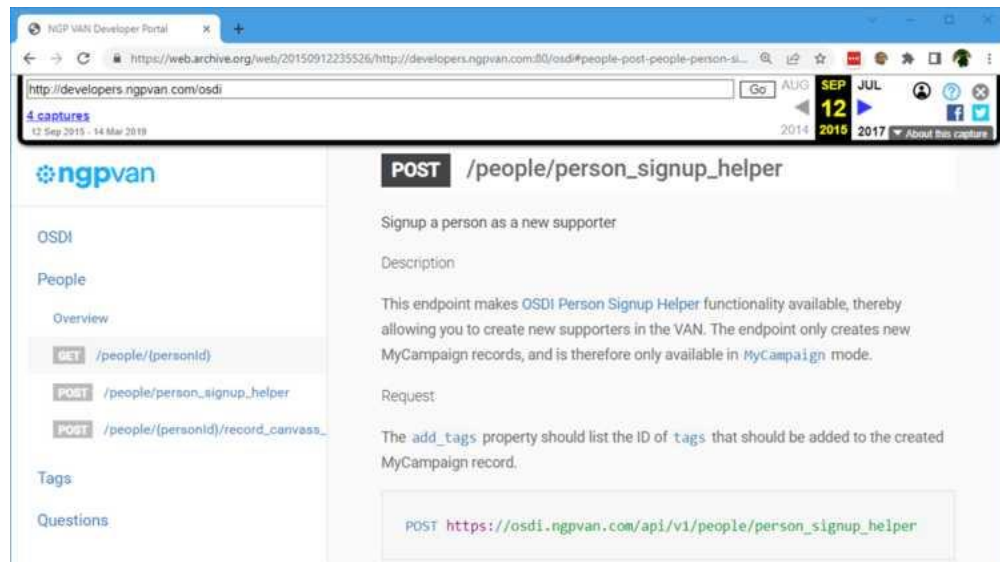
288. [D1801]

POST/people/person_signup_helper
Signup a person as a new supporter
Description

This endpoint makes functionality available, thereby allowing you to create new supporters in the VAN. The endpoint only creates new MyCampaign records, and is therefore only available in MyCampaign mode.

Request

The add_tags property should list the ID of tags that should be added to the created MyCampaign record.



"VAN Person Signup Helper" [D1801]

289. Plaintiff contributed source code to NGPVAN's implementation to mitigate a self-preferencing technical architecture resulting in greater functionality in its OSDI endpoint than its proprietary API endpoint. This reversed the preferencing as application integrators would get more functionality by integrating with NGPVAN through its OSDI endpoint than its proprietary API.

IV.B.13 AFL-CIO Joins

290. Email Subject 02/03/16 2016-02-03 2:49pm "MOTION to approve AFLCIO and Progressive Drafting Committee member" [D507] @ List governance, [User Icon]

291. View on osdi-dev

292. [User Icon] Josh Cohen 2:49p [D507]

MOTION to approve AFLCIO and Progressive Drafting Committee member




Jeff Mann will be their representative.
Please cast votes by Friday 5pm eastern

293.   Jason Rosenbaum  2:58p [D507]

Aye!

294.   Seth Bannon  2:59p [D507]

Aye!

295.   Shai Sachs  3:26p [D507]

An AYE vote makes us strong!

296.   Beth Becker  4:00p [D507]

Aye!

297.   Joe McLaughlin  6:47p [D507]

Aye

298.   J. Cohen  2016-02-06 12:15am [D507]

MOTION Approved. We are now OSDI Local 0xff

IV.B.14 Self-preferencing / Monopsony / FUD

299. **Racketeering** Action Network and the AFL-CIO used a self-preferencing scheme to reap benefits while undermining their platform competitors ability to benefit equally. Using parallel conduct:

- Exploit self-preferencing technical architecture in NGPVAN's OSDI implementation
- Abuse AFL-CIO's monopsony power to control NGPVAN's resource allocation to ensure its proprietary API had more features than its OSDI endpoint
- Used Fear Uncertainty Doubt (FUD) to discourage application vendors from trusting NGPVAN's OSDI implementation

IV.B.15 Action Network/AFL-CIO Benefit

300. Action Network itself used NGPVAN's OSDI endpoint to integrate with NGPVAN, to support required scenarios for customers including the AFL-CIO.

301.  Web Page  03/04/19 "Integrating with VAN events" [D452]

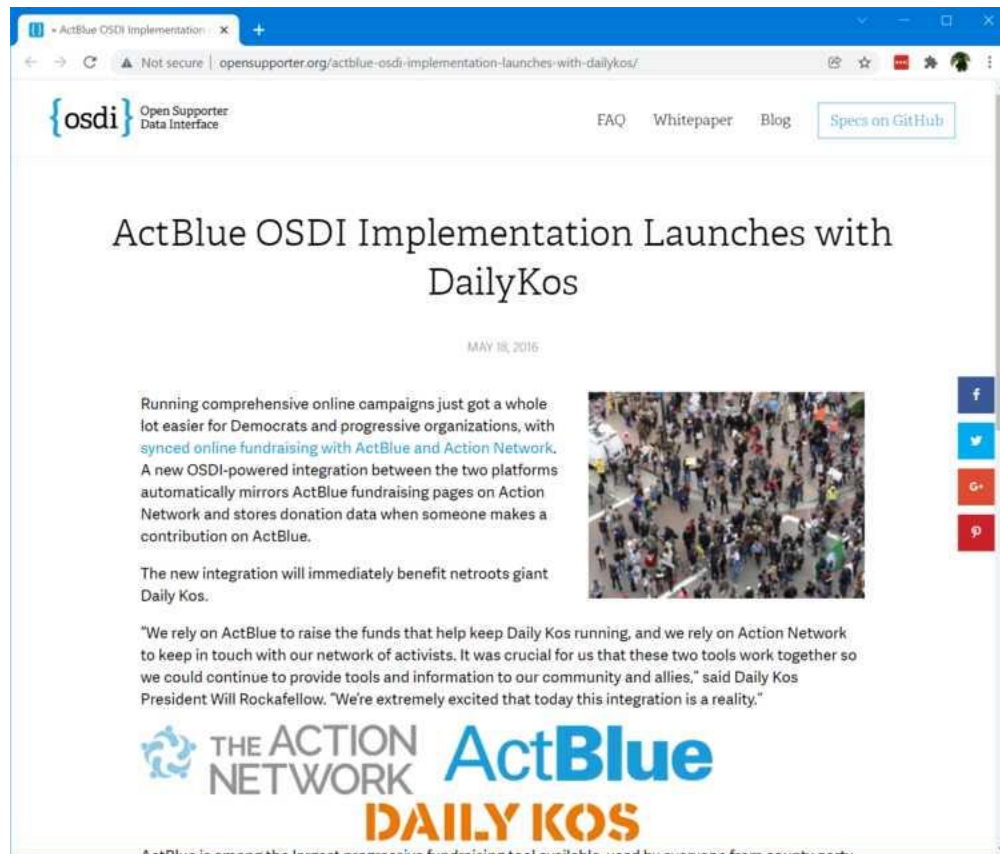
302.  [D452]

Integrating with VAN events

303.   Action Network, [D452]

When you create events in Action Network (or upload events as part of an event campaign) you can enter a VAN ID for each, after which we will send all subsequent RSVPs to the corresponding VAN event as signups using VAN's OSDI-compliant API.

304.  Web Page  05/18/16 "ActBlue OSDI Implementation Launches with DailyKos" [D397]



NGPVAN Person Signup Helper [D397]

305. Nate Thames, Technical Services Executive Director at ActBlue [D397]

"We're very excited to be taking a big step forward in helping our users move data more easily," said Nate Thames, Technical Services Executive Director at ActBlue. "Our new Action Network-OSDI integration is the latest in a string of API integrations we've done in concert with the campaigns and organizations who use our software. They're always always looking for great organizing technology, and we believe getting your data from one of those systems to another shouldn't be a chore, and it shouldn't be a paid upgrade. Our movement wins when we work together, and when our technology works together."



















306. Jason Rosenbaum, Action Network [D397]

"We like to focus on doing one thing well --- digital organizing --- which means our toolset needs to integrate with other tools that do other things in order for our partners to do their work effectively," Rosenbaum said. "OSDI allows us to build up that ecosystem of tools, all sharing data effectively and automatically. Integrations like ActBlue, which has been highly requested by our partners, really supercharge our toolset and expands our market."

307. [D397]

ActBlue's adoption of OSDI's fundraising profile allows all OSDI implementers to easily add ActBlue data to their applications. Technology vendors can explore OSDI's growing library of API resources on Github. If you are a progressive customer or a vendor that serves progressive customers and you'd like to learn about ways to participate in OSDI, sign up here.

308. Osdi Pr 10/12/16 2016-10-12 "Progressive Tech Edge Grows with Increased OSDI Adoption" [D390]

309.   Adriel Hampton, OSDI  12:00p [D390]
- One big difference this round is the availability of OSDI and its growing library of dozens of lightweight programming resources for organizers and technologists looking to hit the field faster. In recent months, both ActBlue and NGP VAN increased support for OSDI
310.   Jason Rosenbaum, Action Network  12:00p [D390]
- Jason Rosenbaum, Director of Technology at Action Network, recently worked with NGP VAN's OSDI hooks for events to provide a solution that lets the AFL-CIO work more nimbly between the two systems.
311.   J. Rosenbaum  12:00p [D390]
- "OSDI's interoperable API specification really saved us time and money, cutting expected development time for VAN events integration from two weeks down to one," Rosenbaum said. "Being able to get features like this into the hands of our partners more quickly is a big win for us and for them."
312.   A. Hampton  12:00p [D390]
- OSDI is supported by large-scale organizing platforms and other tools that support campaign organizing, including data append vendor Accurate Append, and the SMS and calling software CallHub. The 48-member OSDI coalition includes Netroots Nation, the Sierra Club, Democrats.com, and, as an industry supporter, Microsoft.
313.   Josh Cohen  12:00p [D390]
- OSDI's first steps were at RootsCamp 2012 beginning with an exciting panel of experts and customer discussion on the topic, said founder and chair Josh Cohen. Since then, OSDI has completed our Specification V1 and achieved significant adoption in the industry. Our coalition has grown to almost 50 members as well as multiple liaisons...
314.   A. Hampton  12:00p [D390]
- OSDI began as an outgrowth of the 2012 Washington United for Marriage campaign after proponents experienced frustrations due to a lack of interoperability between the hodgepodge of tools needed to win progressive victories. After an initial conversation instigated by Josh Cohen, the director of technology for that campaign...

IV.B.16 2X ROI External Network Effect

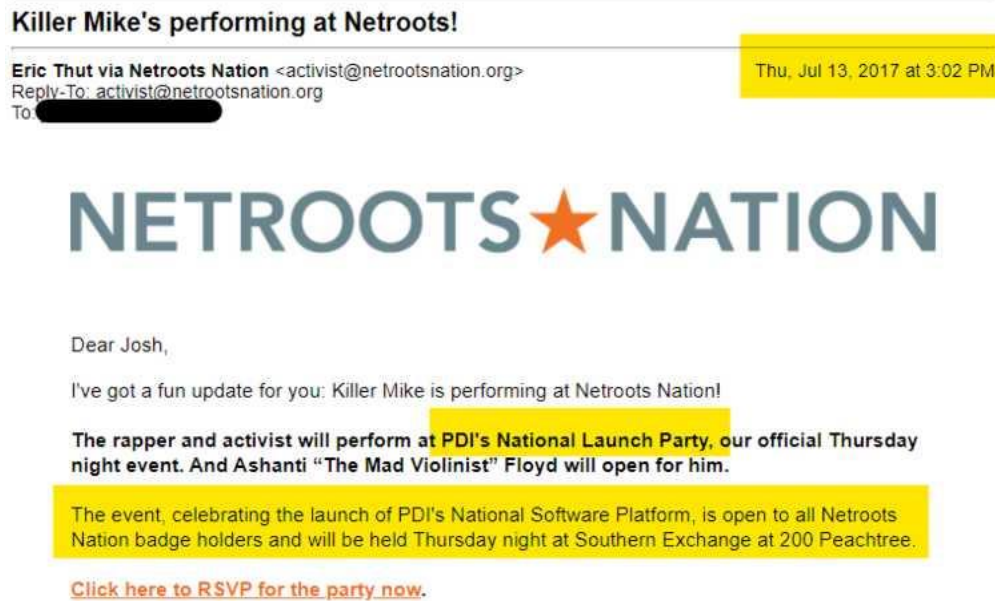
315. This created a 2x ROI for application vendors, who could create one connector and gain interoperability with the dominant platform and new entrant Action Network.
316. Plaintiff is aware of the following OSDI implementation.
317. NGPVAN, Action Network, CallHub, Accurate Append, Mobile Commons, Act Blue, New/Mode, CiviCRM, New/Mode, Mobilize, MoveOn Spoke, MoveOn Internal Tools, ProgCode Resistance Calendar, ProgCode National Voter File, ProgCode Maps for Change, RiseUp.
318. OSDI also had momentum and was considered the default approach for APIs in the market.
319. The effect of this was that when the third platform implemented OSDI, they would also have the largest application ecosystem, and application developers wouldn't need to code a connector specific to the new platform.

IV.B.17 Platform 3 PDI



320. At Netroots Nation 2017, PDI released its new national platform meant to pursue the national market beyond California. It subsequently attempted to join OSDI and implement, allowing PDI to compete at the level of the market. However, it was locked out as a result of Defendants' racketeering activity.

321. Netroots Nation 2017 Launch Party

322.  Email Subject  07/13/17  2017-07-13 3:02pm "Killer Mike's performing at Netroots!" [D385*]  Eric Thut



"D385Ppdiparty" [D385]

323.   Eric Thut via Netroots Nation  3:02p [D385]

Dear Josh,

I've got a fun update for you: Killer Mike is performing at Netroots Nation!

The rapper and activist will perform at PDI's National Launch Party, our official Thursday night event. And Ashanti "The Mad Violinist" Floyd will open for him.

The event, celebrating the launch of PDI's National Software Platform, is open to all Netroots Nation badge holders and will be held Thursday night at Southern Exchange at 200 Peachtree.

324. On February 1, 2018, PDI had become ready to join OSDI.

325.  Email Subject  02/01/18  2018-02-01 7:43pm "[osdi-exec] PDI" [D417*]  OsdI Exec

326.   Joe McLaughlin  7:43p [D417]

I'm meeting Gary Brown, the CEO of Political Data Inc AKA PDI a week from Saturday for breakfast re some Dem and Working Families stuff. Met him at Netroots Nation too and have been trying to get together since.





Don't know where we ever got with PDI joining OSDI, but seems like now is the time.

Russ, help with that would be great, also Josh, whoever else.

327. By implementing OSDI, PDI would be able to compete at the level of the market by starting with the existing ecosystem of OSDI applications which would work with PDI's OSDI implementation with little or no engineering work.

328.  J. McLaughlin  11:18p [D417]

Right yeah I'll point out the benefits of connecting to the OSDI 'ecosystem' - CallHub, the other already-implementing orgs. Cool.
On Feb 1, 2018 5:49 PM, "Josh Cohen" wrote:

329.  Email Subject  03/14/18  2018-03-14 2:32pm "[osdi-exec] Re: PDI / OSDI Follow Up" [D1522*]  Osd Exec

330.  Nic Zateslo, PDI  11:02a [D1522]

Thanks. Gary and I will work on this over the next few days. We will have it back in time for next week's call.

331.  Sonya Reynolds  2:32p [D1522]

Awsome! Looping in OSDI exec.

332. CallHub, an phone and text application was eager to see PDI implement, as it would allow CallHub to integrate with 3rd platform PDI with little or no engineering work.

333.  Email Subject  03/16/18  2018-03-16 1:16am "PDI" [D318*]  Josh Cohen

334.  Augustus Franklin  1:53a [D318]

Hi Sonya,
Yes, we'd love to integrate with PDI over OSDI. If they implement lists, people and events, they'll get p2p texting integrated with PDI for free.
best, Augustus

335.  S. Reynolds  2018-03-21 4:22pm [D318]





I think they'd be super open to that. What's the next step there?

336. In May 2018, PDI began looking for resources to build its OSDI implementation.

337.  S. Reynolds  2018-05-07 5:32pm [D318]

Good news! PDI is actually looking to hire someone to build them an OSDI compliant API. Know anyone who would be a good fit for this?
Sonya

338. Sonya never followed up with Plaintiff. At RootsCamp 2018, Plaintiff made contact with PDI again and referred them to Sonya and Brady Kriss.

339.  Email Subject  12/01/18  2018-12-01 1:41pm "PDI/OSDI connection" [D365*]  Joshco

340.  joshco  1:41p [D365]

Hi Emily,
Good talking to you at Roostcamp. I want to connect you with Brady Kriss, OSDI's VP of Membership, and Sonya Reynolds, our esteemed Chair.
We talked about 2 different topics, one was my own integration work, and briefly touched upon OSDI. As you are working on your own API, OSDI is a good foundation. It's also a good way to leverage community driven API design..

OSDI is also a great way to create Better interop with other systems and a great way to do that is to join OSDI!
 You mentioned that your colleague Nick was the perhaps the right contact, could you introduce Sonya and Brady to Nick?
 Brady, Sonya, Meet Emily Zahn, from PDI.
 Brady and Sonya can take it from here.

341.   Sonya  1:50p [D365]


Everyone on these chains already have a working relationship, so introducing us to people we already know makes it look like osdi is unorganized or that you cant defer to the current chair.

342.   Sonya  1:53p [D365]

Awesome - Id love to pick up the conversation about pdi joining OpenSupporter. Nic, Gary and I spoke earlier this year, we followed up with the governance membership questions and were waiting to hear back on the classification of PDI because in California yall are bipartisan and not Dem/progressive only. Its possible to join as an industry tech instead, we just needed the response to the membership question to move forward. Ill bump that chain on Monday.
 Sonya

343. There was no further activity and PDI was locked out.

344. In 2019, Plaintiff provided source code for MoveOn's Spoke text messaging tool implementing OSDI. He also provided source for a CiviCRM connector.

345.  Web Page  11/14/19 "Spoke / VAN / EveryAction / Action Network Integration,Spoke / VAN / EveryAction / Action Network Integration Open Supporter Data Interface" [D475]

346.   Josh Cohen [D475]

FROM OSDI Department of Customer Relations
 TO Progressive Interoperability Special Agents
 RE Spoke / VAN / EveryAction / Action Network Integration
 UPDATE 11/2019 This worked with CiviCRM's OSDI endpoint as well.

347.   OSDI [D475]

Spoke / VAN / EveryAction / Action Network Integration,Spoke / VAN / EveryAction / Action Network Integration Open Supporter Data Interface

348. At this point, Applications that supported OSDI could interoperate with Action Network, NGPVAN, and CiviCRM, providing a 3x ROI. Once PDI implemented that would be a 4x ROI.

349. Defendants racketeering activity locked out PDI.

IV.B.18 Mitigate Vertical Agreements

350. In July 2017 Raffi Krikorian, newly hired DNC CTO reached out to Plaintiff and through February 2018 they negotiated a plan to reduce support costs in DNC's marketplace of products and increase customer choice by encouraging products to comply with the OSDI standard to be part of the marketplace. This reduces the anti-competitive effects of vertical agreements with product vendors, and helps democratize access to political technology resources.

351. Plaintiff was introduced to Raffi Krikorian, DNC CTO on July 21st, 2017.

352.  Email Subject  07/21/17  2017-07-21 10:22am "Raffi <> Josh" [D28*]  Raffi

353.   Rapi Castillo, Progressive Coders  10:22a [D28]

Raffi, would like to introduce Josh Cohen, Chairman of OSDI, an amazing data interface that is now being used by Action Network, MoveOn, and a lot of grassroots progressive applications.

354.   Rapi Castillo  10:22a [D28]

Josh, I'd like to introduce Raffi Krikorian, CTO at the DNC. Raffi mentioned a move on interoperability and thought that your awesome work and the committee you have led with Open Supporter Data Interface (OSDI) would be a great thing to check out.

355.   R. Castillo  10:22a [D28]

[OSDI is] an amazing data interface that is now being used by Action Network, MoveOn, and a lot of grassroots progressive applications.





356.   Raffi Krikorian, DNC CTO  2017-07-24 12:35pm [D28]


hey josh. would love love love to get a braindump and figure out how we can help you? i think the DNC is in this unique position where we can help in lots of different ways, i just am trying to understand which is the highest leverage places i can press on in this new position.

357.   R. Krikorian  12:35p [D28]

any chance we could meet up before hand in person on thursday?

358. Plaintiff met with Raffi Krikorian and Liz Jaff on July 27th, 2017 at Civic Hall in New York City. Raffi asked Plaintiff to prepare a proposal for how OSDI can benefit the DNC and progressive customers.

359.  Email Subject  07/27/17  2017-07-27 "dnc cto Invitation Civic Hall Meeting Raffi Krikorian DNC Thu Jul 27 2017 6pm 7pm Josh Cohen" [D760]  Elizabeth Jaff

360.   12:00a [D760]

dnc cto Invitation Civic Hall Meeting Raffi Krikorian DNC Thu Jul 27 2017 6pm 7pm
Josh Cohen

361. That evening, Plaintiff sent OSDI's then-current governance document to Raffi Krikorian, Liz Jaff and Micheal Fischer.

362.  Email Subject  07/27/17  8:43p "OSDI Governance" [D15*]  Josh Cohen

363.   Josh Cohen  8:43p [D15]

Here's our current OSDI governance policy that defines out processes and rules. attached.

364.   Michael E Fisher  2017-07-28 12:01am [D15]

- Riley



Thanks for sending!

365.   J. Cohen  2017-07-30 6:47pm [D15]

Can you tell me who the woman was who met with us? She was a person of color and i think she said she was on the board of netroots. Id like to include her in this thread.

366.   Raffi Krikorian  7:18p [D15]

probably liz jaff

367.   J. Cohen  7:43p [D15]

+liz

Attached is the current OSDI governance document.

My next steps are to analyze our discussion and the follow-on group discussion to identify potential changes or actions to support the ecosystem model the DNC described.

Once I have something I'll circulate for review.

368.   Elizabeth Jaff  8:10p [D15]

This is great thanks josh!

369. Plaintiff followed up:

370.  Email Subject  08/27/17  2017-08-27 "DNC Followup" [D329]  Josh Cohen

371.   Josh Cohen  2:27a [D329]

you mentioned you were coming to NYC soon. When is/was that?

372.   Liz Jaff, DNC  1:28p [D329]

Adding Sally

Raffi will be in NYC soon

Sally josh runs OSDI an initiative raffi is very interested in this open data option

Let's make sure we stay connected on what's next. Fisher is lead for open API so good to flag for him so he stays connected with josh too

373.   Sally Marx, DNC  2017-08-28 9:49am [D329]

Raffi will be in NYC on 9/18. Any chance you are free to meet with him then? If you don't mind, we'd also like to have Fisher join. As Liz mentioned, he is the lead on our team for open API.

374.   J. Cohen  2017-09-05 8:31am [D329]

Yes, this sounds great. Let me know how the schedule plays out

375.   S. Marx  2017-09-07 9:53am [D329]

Hi Josh---thanks for your patience here. We've been wrestling a bit with Raffi's travel schedule (which changes daily), so I think for the time being, it makes sense for you to sit down with Fisher and Riley from our team. They are based in NY.

376.   J. Cohen  2017-09-13 11:35am [D329]

Hi Micheal,

When is a good time for us to meet?

377.   Michael E Fisher, DNC  2017-09-14 1:10pm [D329]

Riley and I will both be back in NY next Thursday and Friday if that works for you.

Sadly, I don't think we have much to share since yet since we last spoke in August we're still getting spun up over here. But always happy to have you over to our New York office to catch up.

378.   J. Cohen  2017-09-16 12:01pm [D329]

That works for me, and I'd love to see the new digs.
 I suggest one of our goals should be on the interop/backpack plan. When we met with Raffi in NYC and discussed OSDI, I offered to create a draft proposal laying out how OSDI fits into the backpack as well as how the DNC would manage it.
 It would be great to meet with you, get feedback on the proposal, incorporate any suggestions etc before we bring it to Raffi.

379.   J. Cohen  2017-09-22 12:19am [D329]

Michael, didn't hear back from you. when works for you? Next week can work too, my freebusy Pick your favorite slot

380.   J. Cohen  2017-09-26 1:04am [D329]

Hi Micheal, can you let me know what works for you?

381.   M. Fisher  1:05a [D329]

Hey Josh, sorry for the delay.
 How about next Wednesday 10/4 or Thursday 10/5?

382.   J. Cohen  1:06a [D329]

Lets do Wednesday. How about 2-4p?

383.   J. Cohen  2017-10-03 8:33am [D329]

Micheal, whats the address of your office? I'll come by wednesday at 2

384.   L. Jaff  11:49a [D329]

Josh let's hold on this till after VA

385.   L. Jaff  12:03p [D329]

Let's plan next week tamaira please reach out to Josh to schedule a call with me and him

386. Plaintiff met with Liz Jaff on October 11, 2017 to discuss the proposal Plaintiff was working on.

387.  Document  10/11/17 "dnc liz joshco" [D809]

388.   Josh Cohen [D809]

MEETING INVITATION
 liz/joshco - screenshare only
 for screenshare only
 Wednesday, October 11, 3 PM - 3:30 PM US/Eastern

389. Plaintiff prepared the proposal which contained the following points:

390.  Specification  02/01/18 "OSDI DNC Cable 1" [D1775]

391.  [D1775]

The DNC seeks to provide technical assistance, integration services and easy access to a backpack of technologies in the progressive ecosystem to campaigns and other customers.

The Open Supporter Data Interface (OSDI) provides a reasonably complete community driven simplifying blueprint / integration code of conduct, a developer support resource, and a process and infrastructure to steward its evolution in which the DNC can have a voice in leadership. In effect, OSDI can serve as a shared developer support and API engineering team for the party and the progressive community.

392.  [D1775]

By steering prospective technologies seeking to enter the backpack towards OSDI and the integration profiles, DNC can avoid an unbounded matrix of possible API interactions which can be prohibitively expensive to develop for, manage and support.

393.  [D1775]

This approach is already paying off with growing number of implementers including but not limited to ActBlue, Action Network, NGP VAN, CallHub, TheDataBank, Hero, Mobile Commons, as well as projects in ProgCode and other volunteer communities.

394.  [D1775]


Organizationally, OSDI's structure and governance process descend from industry and international standard setting bodies like IETF, DMTF, W3C, OMA, ANSI, ISO. Since OSDI's goal is to help progressives and Democrats, we also maintain a progressive keel.

395.  [D1775]

All decisions in OSDI are done democratically by parliamentary process, and in an egalitarian way. "One Member Organization, One Vote" is our mantra. Within the same committee, a small company like ShareProgress or TheDataBank, or a volunteer driven organization like RagTag and Progcode, has the same voting power as larger and established companies like VAN, Catalist, etc.

396.  [D1775]

1. DNC mandates OSDI compliance for inclusion in the backpack
2. DNC mandates OSDI participation for inclusion in the backpack
3. DNC provides a technical and strategic human representative to be a point of contact and liaison officer in OSDI
4. OSDI will support the DNC by providing integration implementation support for app developers with it's processes and fora.

397.  [D1775]









































1. DNC mandates OSDI compliance for inclusion in the backpack
2. DNC mandates OSDI participation for inclusion in the backpack
3. DNC provides a technical and strategic human representative to be a point of contact and liaison officer in OSDI
4. OSDI will support the DNC by providing integration implementation support for app developers with it's processes and fora.

398.  [D1775]

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3. DNC provides a technical and strategic human representative to be a point of contact and liaison officer in OSDI
4. OSDI will support the DNC by providing integration implementation support for app developers with it's processes and fora.

400. Plaintiff reviewed the proposal with OSDI committee members, and it was approved for sending to the DNC on February 1st, 2018.
401.  Email Subject  02/01/18  10:23a "MOTION to approve sending DNC diplomatic cable" [D517*]  Joshco
402.   joshco  10:23a [D517]
 MOTION to approve sending DNC diplomatic cable
 Please vote by Friday 2/2 @ 5pm eastern (tomorrow)
 The attached cable lays out our recommendations on how we can help the DNC and how they get involved. I expect once we send this, I and exec will have follow-up conversations on the details of how that happens.
403.   Jason Rosenbaum  10:35a [D517]
 Can we get it in google doc again? See a few small grammer/typo things, and let's give the doc a more professional name. But content-wise, aye.
404.   Seth Bannon  10:36a [D517]
 With typo fixes, enthusiastic Aye!
405.   joshco  10:41a [D517]
 Make any grammatical changes as proposed edits here
https://docs.google.com/document/d/1_8J75qMznD603dDAil1nAwq7P_A1YCNSSsd7xFltr0/edit?usp=sharing
 At the close of the motion, Ill adopt them and send
406.   Tim Holahan  10:54a [D517]
 Im in favor as well, conditional upon the proof-reading and filename-change that Jason suggests.
 Thanks, Tim
407.   Gayatri Bhalla  10:55a [D517]
 aye
408.   Beth Becker  12:30p [D517]
 aye
409.   Adriel Hampton  12:41p [D517]
 aye
410.   Joe McLaughlin  12:53p [D517]
 A hardy aye aye!
 Joe McLaughlin
411.   Josh Cohen  1:06p [D517]
 We need 1 more vote to put us over the majority, and then we can send it today and Raffi can start reviewing our proposal tonight! Anyone else?
412.   Sonya Reynolds  1:11p [D517]
 aye!
413.   J. Cohen  1:12p [D517]
 And there we are MOTION APPROVED
 I will send the doc and cc officers

414. On the same day, Raffi Krikorian emailed Plaintiff:

415.  Email Subject  02/01/18  7:28a "let's chat!" [D516*]  Raffi Krikorian

416.   Raffi Krikorian  7:28a [D516]

hey josh.
its been a while since weve spoken! the last few months at the DNC have been nuts,
but i feel like the tech team is starting to get its feet underneath ourselves.
i wanted to chat about two things, if you have a second:


417.   R. Krikorian  7:28a [D516]

the tech team is about to launch a marketplace of progressive technology that
campaigns and state parties should know about. effectively democratizing access
to this data. sally, CCed, who is running the program has been working hard to cata-
log everything and also negotiating prices with people who should up in the cata-
log. id like to chat about the role of OSDI and how we can highlight applications that
comply in the market. i still believe strongly in interoperability, so i want to use this as
a venue to continue to nudge the ecosystem

418.   R. Krikorian  7:28a [D516]

i wanted to revisit whats the best ways that i, and the DNC, can be involved in OSDI.
hope youre well, and hope to hear from you soon!

419. At 1:18pm, Plaintiff sent the approved proposal to Raffi Krikorian by email:

420.  Email Subject  02/01/18  1:18p "Diplomatic Cable from OSDI to DNC" [D519*]  Josh Cohen

421.   Josh Cohen  1:18p [D519]

Raffi, Sally,
Our Governance Committee has approved the the attached cable for DNC. This
contains our recommendations on how OSDI can help the DNC and the broader
Democratic community.

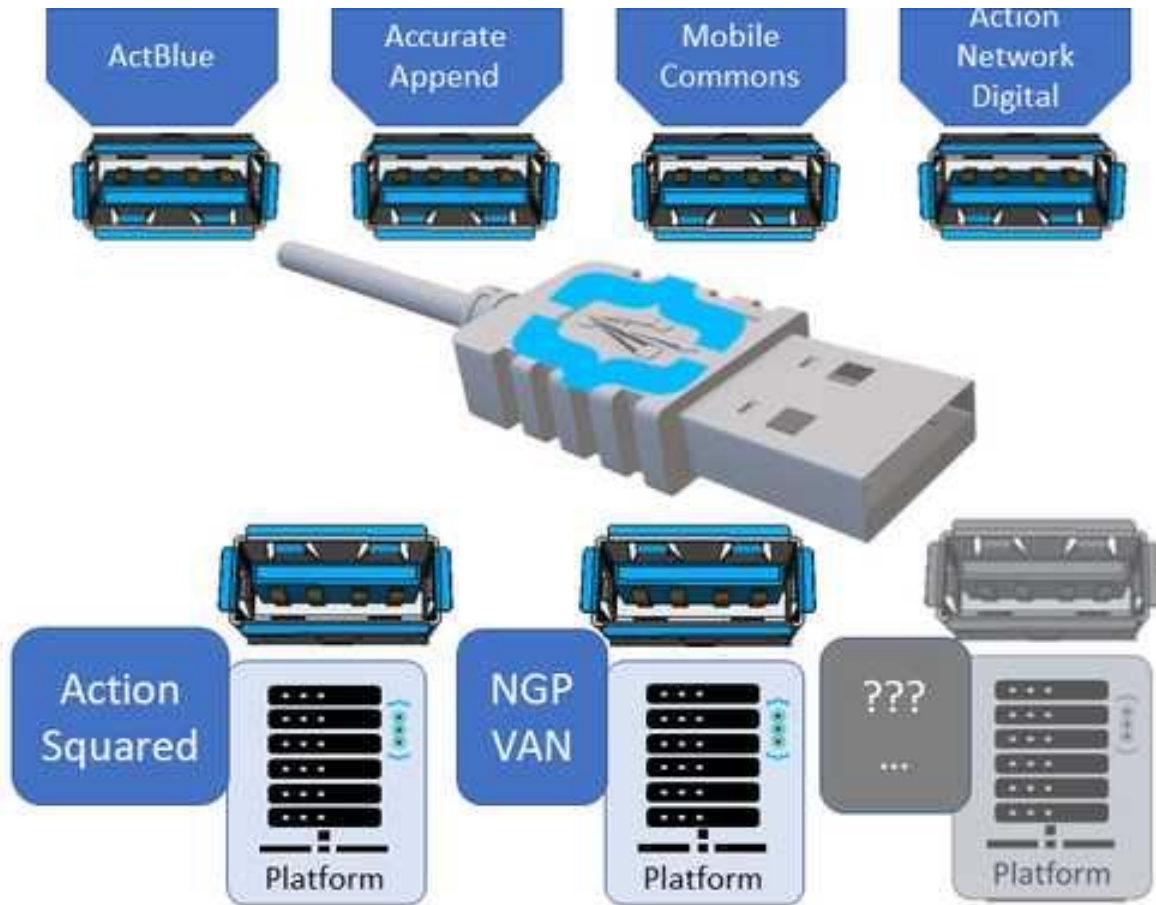
422.   Raffi Krikorian  2:08p [D519]

hi josh (and everybody else on this committee).
first thank you so much for everything you re doing. as i ve mentioned many times in
the past, i feel interoperability in this space is extremely important, and the work that
you re doing is helping push that forward.
i just wanted to acknowledge that sally and i have received this, and we will respond
shortly.
thanks again.

423.   J. Cohen  2:23p [D519]

Thanks Raffi. We look forward to your response.
I should have clarified, the folks CC d are our officers which comprise our executive
committee. That is a subset of our governance committee, and those who manage
OSDI day to day executing based on governance decisions.
They are an example of how customers, vendors and efforts like Ragtag and prog-
code pitch in to drive this community asset, a rising tide that lifts all ships.
You can see who's who on our leadership page.
<http://opensupporter.org/leadership/>

IV.B.19 External Network Effect



External Network Effect

424. By 2018, OSDI served as an external network effect. Any OSDI compliant application could interoperate with any OSDI compliant platform.

IV.B.20 Arrival of Venture Capitalists

425. On August 15, 2017, Plaintiff was introduced to Dimitri Melhorn, Political Director for Reid Hoffman by Brady Kriss/RagTag, who suggested Plaintiff meet with Dimitri for an OSDI briefing, and to listen to Dimitri's funding ideas. On August 8/15/2017, Plaintiff met with Dimitri, who offered to make Plaintiff rich if he would agree to use OSDI as a proprietary walled garden.
426. In the context of these discussions, Dimitri forwarded via email to Plaintiff on 8/15/17 a paper he had co-authored at Harvard analyzing Microsoft's platform behavior, which is generally viewed as anti-competitive. It is a picture of what Dimitri wanted to create, and ultimately did as a result of the Robbery by Extortion.
427. Plaintiff refused because he wasn't using retirement savings to build anyone's proprietary API.
428. It didn't occur to Plaintiff that Dimitri would use Reid Hoffman's money to recruit others to misappropriate the work. Defendants used women as proxies to conceal the power

disparity and avoid looking homophobic.

429.  Email Subject  07/07/17  2017-07-07 9:02pm "Dmitri" [D672*]  Brady Kriss

430.   Brady Kriss, RagTag  5:29p [D676]

Hi Josh and Dmitri!

I wanted to introduce the two of you. Dmitri is currently talking with a bunch of the different progressive tech groups that have sprung up recently. I would love for the two of you to talk about OSDI and ways that we can help all the progressive energy doesn't get siloed in competing platforms and databases.

431.   B. Kriss  9:02p [D672]

Hey! Forgot to email you with the background. :) Remembering now. Dmitri is the political director for Reid Hoffman. He's trying to figure out the best ways to support and fund this bizarro ecosystem we've found ourselves in. We were talking today and he was expressing concern about all these different groups making their own thing and the just chopping the movement up like that. I mentioned OSDI and he was super excited about it.

432.   B. Kriss  9:02p [D672]

I personally think it would be rad to get some funding into OSDI itself, or to get some funding for Ragtag to manage people to work on OSDI stuff, or something along those lines. OSDI is a super important piece of infrastructure, and it should be funded as such.

433.   B. Kriss  9:55p [D672]

OSDI is a super important piece of infrastructure, and its should be funded as such.

434. By Email, Dimitri forwarded Plaintiff a paper he co-authored at Harvard with Bruce Abramson, "THE FETTERED LIBERTY TO INTEGRATE: LEGAL IMPLICATIONS OF SOFTWARE ENGINEERING", which analyzes Microsoft's behavior that is generally viewed as anti-competitive.

435.  Email Subject  08/15/17  2017-08-15 1:05pm "Integration" [D1867*] 

436.   Dmitri Mehlhorn, Win The Future  1:05p [D1867]

<http://www.bu.edu/law/journals-archive/scitech/volume102/abramson.pdf>

437. Plaintiff met with Dimitri on 8/15/17. Afterwards Dimitri sent the following emails acknowledging it and the strength of OSDI.

438.  Email Subject  08/15/17  2:00p "OSDI / CrowdPAC" [D1873]  Dmitri Mehlhorn

439.   Dmitri Mehlhorn  2:00p [D1873]





Josh and Gisel:

I just had a conversation with Josh about a shared API platform among progressive causes. I think it would be useful for you to synch up and determine whether or how there are opportunities for collaboration between OSDI and CrowdPAC.

I'll leave it to you from here.

-- dmitri mehlhorn

www.vidinovo.com

440.  Email Subject  08/15/17  1:59p "OSDI" [D1865]  Dmitri Mehlhorn

441.

  D. Mehlhorn  1:59p [D1865]

Josh and Alain:

I just had a conversation with Josh about a shared API platform among progressive causes. I think it would be useful for you to synch up and determine whether or how there are opportunities for collaboration between OSDI and DemSoft. I'll leave it to you from here.

442.

  Alain Briancon  2:34p [D1865]

DemSoft is keenly aware of OSDI and Josh. OSDI is the go to architecture for DemSoft...

443.

 Email Subject  08/15/17  4:13p "OSDI / Open Progress" [D1869]  Dmitri Mehlhorn

444.

  elizabeth  5:41p [D1869]

Dmitri - Thanks for the introduction.

Hi Josh - It's great to "see" you again. We caught up briefly at the meeting with Raffi in NYC and then again at the Progressive Hacknight 2 weeks ago. Per our conversations then, yes, we're super excited to plug into the OSDI standard, but it will be something that happens in v2 of our software as we're super heads down and pretty much baked for 2017. We got wind of this standard after our data models were already stood up, but we're committed to participating in the future with our next full version. I'll leave it to Mahender and Tom to decide who from our team should plug in for a seat at the table; I'm squarely focused on relationship management and platform adoption for the rest of this year;

Thanks!! Elizabeth

--- original message ---

```
Parse Error {D1456: f, c: "What you've accomplished with this organization is tremendous and
can never be taken away from you, even if you remain separated from it for some time."}
```

```
Couldn't find Document with 'id'=1456
```

```
/app/vendor/bundle/ruby/2.5.0/gems/activerecord-4.2.11.1/lib/active_record/core.rb:155:in
`find'
```

```
/app/app/models/document.rb:1748:in `findp'
```

```
/app/app/models/document.rb:1677:in `pcache_list_key'
```

445.

Plaintiff assumed that he would hear from Dimitri again if Dimitri wasn't willing to take "no" for an answer. It didn't occur to Plaintiff that irresistible temptation would be used to induce others to misappropriate the work.

446.

Defendants' racketeering excluded Plaintiff from the market from this point forward. While Plaintiff was sidelined, a data war erupted over residual tension due to the DNC's favoritism of Hillary Clinton at the expense of Bernie Sanders, the election of Donald Trump, and the arrival of Billionaires including Reid Hoffman.

447.

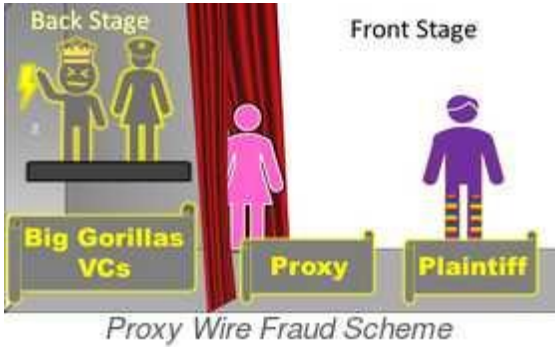
This triggered a fierce response from the DNC, who painted Reid and his "Alloy" Voter Data project which attempted to create an external network effect as an "Existential Threat" to the party.

448.

Defendants along with the Obama cohort formed venture capitalists Higher Ground Labs and Acronym which were setup to "catch" the incoming money. They also needed to prevent Reid Hoffman from learning that OSDI was also an external network effect.

IV.B.21 Disparate Impact Wire Fraud Scheme

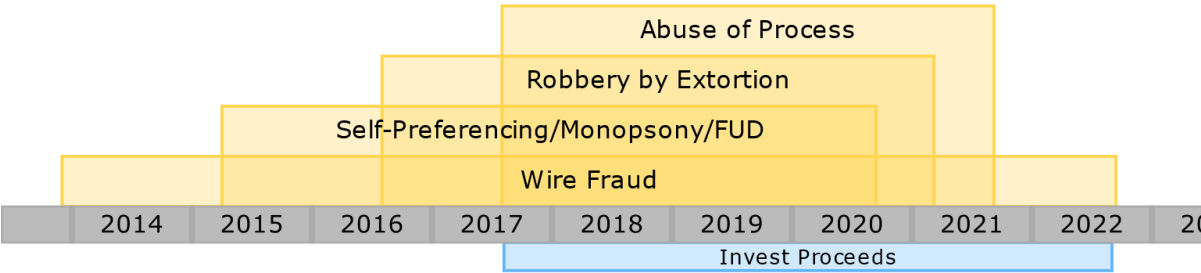
449.
450. By using a woman (Brady Kriss/RagTag) as a proxy, Dimitri attributed the VC profit motive to a woman. This wire fraud tactic of using women as proxies concealed the power disparity. But for this scheme, Defendants would not have been able to gain control of OSDI.



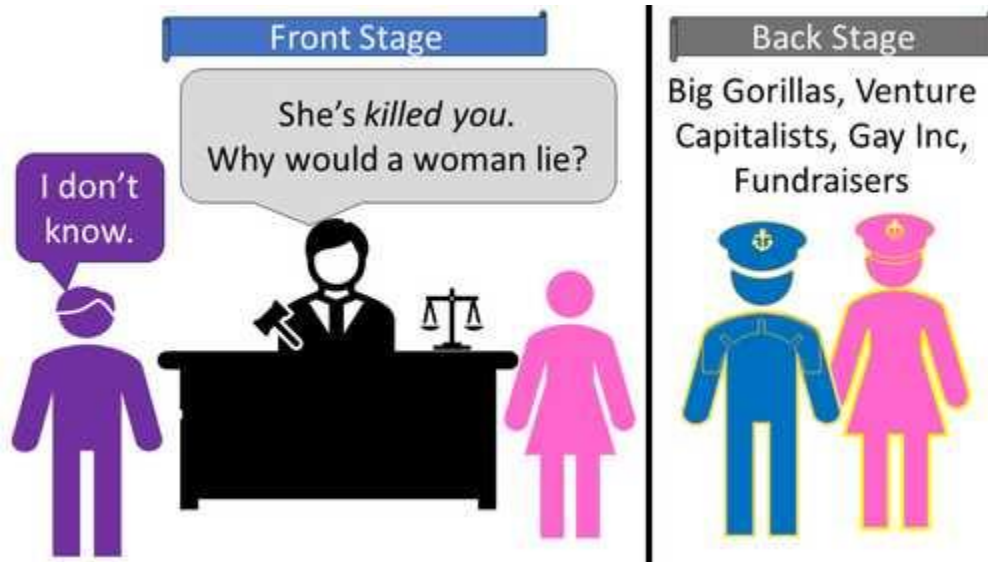
451. To do what Dimitri wanted would require violating Plaintiff's copyrights. It didn't occur to Plaintiff that Dimitri could use irresistible temptation to recruit others to help steal OSDI and turn it into proprietary walled gardens.

IV.B.22 Racketeering Gains Control

452. Defendants' racketeering activity never stopped, but was covert. In 2016, Defendants escalated to Robbery by Extortion, and in 2017 to Abuse of Process.



Predicates



Cohen v Swirling

453. During the court supervised settlement conference, Plaintiff's priority was protecting the project. He sought an agreement from Defendant Swirling that she would ask her followers to stop attacking the OSDI project.
454. That agreement was not made, because OSDI was the target all along. Plaintiff was unaware that he was the victim of a robbery by extortion.
455. After the Order of Discontinuance, the coercion escalated.
456. Plaintiff had never been involved in any litigation and the prior time he retained legal counsel was to fight a speeding ticket in the early 1990s. He didn't know what Abuse of Process was.
457. Defendants used parallel conduct and proxies offering false hope of saving the project, and concealed their property motive by misrepresenting their property asks as empowering women.



Abuse of Process

458. After gaining control of the project, Defendants' used false hope of saving it to fraudulently induce more labor, gain access to trade secrets and continued to try to coerce or trick Plaintiff into abandoning his copyright and contract rights.
459. They willfully mislead plaintiff through April 2020, TODO PR CLOSE. Up until this point, Plaintiff believed his continued investment would lead to saving the project.
460. Defendants fraudulently concealed their schemes to invest the pillaged proceeds into

their own enterprises until January 2021. January 2021 was the first point that Plaintiff realized he was the victim of fraud and theft.

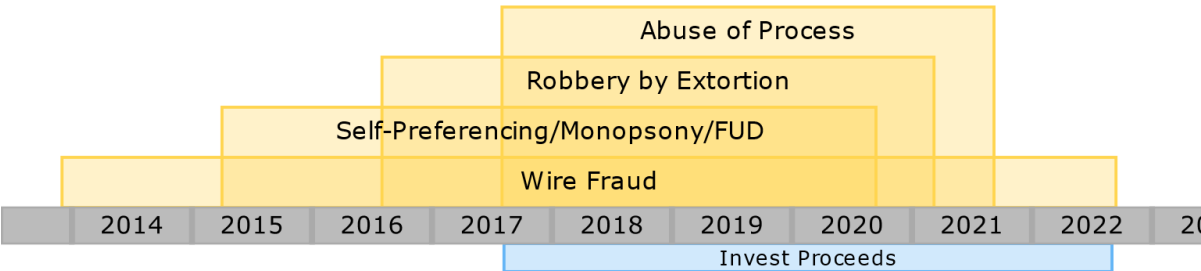
461. Plaintiff gave a presentation on the situation, as best he understood it, to a friend from High School who is currently a Lieutenant in a police department. The friend recognized the behavior as racketeering and directed Plaintiff to RICO laws, which Plaintiff studied. Plaintiff then learned he was the victim of racketeering and extortion.

462. Plaintiff diligently scoured the World Wide Web, reread every relevant email, SMS, chats, meeting agendas and minutes back to 2011 to put the conspiracy together and discover where the proceeds ended up.

IV.C Racketeering and Extortion

463. Though Plaintiff was unaware, Defendants racketeering activity began at the outset of the project. Despite their promises in 2015, Defendants continued their racketeering activity trying to undermine the coalition while using Plaintiff. However, their schemes were constrained by the need to avoid appearing homophobic, hypocritical or to expose their gross exploitation.

464. Over time Defendants racketeering escalated with the following predicate acts:



Predicates

IV.C.1 To Gain Control

IV.C.1.a Early Racketeering





465. As described in the OSDI Pro-competitive Effort / Early Racketeering section, JBN exploited OSDI's nuanced progressive keel policy as a vulnerability. By grossly misstating it to induce NGPVAN to flee, and sabotaging its platform competitors it would, by default gain dominant control over the ecosystem.

466. In summer 2013, OSDI adopted democracy as a governance model and solved on of the failure modes of previous efforts. Plaintiff negotiated a policy that protected progressive and Democratic IP from leaking to conservatives and Republicans, while preserving customer choice.

467. Once these negotiations completed, Nathan Woodhull had a vulnerability to exploit. He then shared with Plaintiff, his library of proprietary API connectors that he was building. This library is a prerequisite

468. This is the opposite of the mission of OSDI.

IV.C.1.a.1 Nathan Woodhull begins building proprietary connectors

469.  Email Subject  07/22/13  2013-07-22 4:23pm "G Hangout With Nathan Woodhull" [D648*] 

470.   Josh Cohen  4:22p [D648]

hey
what's the github repo for the common tools stuff you are working on?
Nathan Woodhull: hmm?
for api bindings?
yeah

471.   J. Cohen  4:22p [D648]

hey
what's the github repo for the common tools stuff you are working on?
Nathan Woodhull: hmm?
for api bindings?
yeah

472.   Nathan Woodhull, Control Shift  4:23p [D648]

<https://github.com/controlshift/> there are a few ruby gems in there for blue_state_digital, action_kit, tijuana and soon porpoise. -- (p. 1)

473.   N. Woodhull  4:26p [D648]

most of the orgs controlshift works with are on the advocacy side rather than campaigns so we haven't had any customers on top of ngp or vanto to be honest the api clients only cover the methods I needed would not consider them to be comprehensive just solving the integration needs I have as they come up. :-)


474.   4:29p [D648]

I'm exploring an OSDI<->CRM proxy
eg it speaks OSDI on the front end and then uses a connector library to talk to the proprietary interface
I've got code for salsa, which is the first one I'm exploring

475.   4:32p [D648]









you should publish it!
I'd use a ruby binding for salsa
someday

IV.C.1.a.2 Adoption of democracy and progressive keel

476.  Email Subject  08/01/13  2013-08-01 5:03pm "Announcing Approval of Governance Democracy" [D289]  Josh Cohen

477.   Josh Cohen  5:03a [D289]

In today's meeting, the governance proposal was adopted. This means significant changes in our structure. Two new committees are now forming, Governance, and Progressive Political.

478.  Specification  08/01/13 "OSDI Governance Enacted 8/1/2013" [D483]
479.   Josh Cohen [D483]
- Role vs ideology vs participation
This table is meant to establish a set of principles and criteria for evaluating membership.
480.   J. Cohen [D483]
- General Operating Rules
Robert's Rules
We operate according to RONR
Motions do not require a second
Process disputes get resolved by Governance
481.   J. Cohen [D483]
- Invitations / onboarding new members
Once a decision has been made to invite an entity:
Appropriate votes are held in the governance committee to approve invitation
An invitation goes out to the entity
The entity accepts the invitation and agrees to responsibilities
They are added to appropriate groups and places on the website
They start attending the appropriate committee meetings.
482. The purpose of the "Progressive Keel" was to protect "Progressive" or "Democratic" intellectual property from leaking to political tools that serve conservatives and republicans.
483. Like an onion, inner rings were restricted to participants who strictly served progressives and Democrats. Outer rings were for mainstream technology companies like Microsoft, Google, Twilio et al which are non-political general use tools, and those serving bipartisan customers.

Role vs ideology vs participation

This table is meant to establish a set of principles and criteria for evaluating membership.

Customer Spectrum -> Role V	Dem/Progressive Political campaigns	Progressive non-profit	Social Good Non Profit	Mainstream Industry Vendor	Bi-partisan political /non-profit	Conservative / Republican
Public Reviewer	R	R	R	R	R	R
Invited Expert	I,P	I,P	I	I	I	R
Customer / Consultant	I,P,G	I,P,G	I,G	I	I	R
Application Vendor	I,P,G	I,P,G	I,P,G	I,G	I	R
CRM Platform Vendor	I,P,G	I,P,G	I,G	I	I	R
Shared Data Warehouse Vendor	I,P,G	I,P,G	I	I	I	R
Dataset Provider	I,P,G	I,P,G	I	I	I	R

Progressive Keel Policy

484. So, for example, a bipartisan vendor which some progressives used such as NationBuilder, could participate in an outer ring. The definition of the policy is expressed as a 6x7 matrix where the axes are progressive ideology and type of participant and the values are which committees were appropriate.

IV.C.1.a.3 Nathan Woodhull links MoveOn and ActBlue to conspiracy

485.  Email Subject  08/06/13  2013-08-06 9:05pm "Josh meet Zack" [D624*]  Zack Exley

486.  Nathan Woodhull  9:05p [D624]

Josh Cohen is a fascinating person trying to build a standards body for activism software interop.
You should know him & make sure tools you build can integrate. He's based in NYC.
Nathan

487.  Zack Exley  9:34p [D624]

Wow - that sounds cool. I'd love to connect

488.  Email Subject  08/06/13  10:43p "Josh meet Nate" [D1043*]  Nathan Woodhull

489.  Nathan Woodhull  10:43p [D1043]

Josh Cohen is trying to build an open standard for data interop between activism platforms, Nate runs tech for ActBlue.

Nathan

490.   Josh Cohen  11:19p [D1043]

Hi Nate! I think we spoke last year during the campaign cycle. I was the tech director for Washington United for Marriage. We attempted to get API access with NGP to integrate Marriage Hero and Act Blue to NGP. Since then, I've started a project to create a common API for use in this space. Please have a look...

491.   Nate Thames  2013-08-07 4:18pm [D1043]

Hey Josh -
Admirable project! Do you have provisions for a push model rather than a pull model? We've found over the years that at least for donation information, a traditional RESTy pull model doesn't fit the needs of campaigns. We actually don't really use the old ActBlue api much anymore. We just built a notification to someone else's API.
-Nate

IV.C.1.a.4 Action Network Joins

492. When Action Network joined OSDI in November 2013, they were provided with the organization's policies, which were discussed during a conference call. Action Network agreed to those policies and began participation.

493. Action Network is provided with the Governance policy, which it agreed to in order to join.

494.  Email Subject  11/04/13  2013-11-04 1:09pm "Re: OSDI" [D208]  Tim Anderegg

495.   Josh Cohen, OSDI  1:09p [D208]

Re: OSDI

496.   Tim Anderegg, NOI  10:09a [D208]

We've officially made the motion to induct CAN into OSDI (no one has raised any objections yet, and I don't anticipate any), and Josh Cohen would like to have a call with you to give you an overview of the structure, process, and what not. Would you have time to have a chat with us tomorrow at 4pm, or sometime on Wednesday?

497.   Jason Rosenbaum, Action Network  10:26a [D208]

Tomorrow is busy but Wednesday is largely free outside of 5:30pm. So pick a time on Wednesday?
Exciting news!
Tim Anderegg:
Wednesday seems to work best for folks, should we shoot for Wednesday afternoon, say 1pm? Let me know what works best.
Jason Rosenbaum:
Good here!

498.   J. Rosenbaum  10:26a [D208]

Tomorrow is busy but Wednesday is largely free outside of 5:30pm. So pick a time on Wednesday?
Exciting news!
Tim Anderegg:
Wednesday seems to work best for folks, should we shoot for Wednesday afternoon, say 1pm? Let me know what works best.
Jason Rosenbaum:
Good here!







499.   J. Cohen  1:57p [D208]

Jason, I've attached a few docs for you to skim that we'll touch on in the call.
1: Governance: the description of the informal org structure, roles/taxonomy of membership,
2: the one pager
2 attachments
osdi-governance..v3-final.docx 21K
one-sheet.pdf 306K

IV.C.1.b VC New Media Ventures / Universal Adapter Proposal

500. As described in Early Racketeering, Woodhull emailed Plaintiff on December 11th, 2013, describing a proposal to seek funding from New Media Ventures to build a "universal adapter" which would "provide a common API binding to a few CRM vendors that their member organizations use" and "look to OSDI spec for a common interface" [D1991]
501. As described in Early Racketeering section, once Action Network implemented in April 2014, it attempted to undermine the project exploiting and misrepresenting the progressive keel as "Nationbuilder is welcome".
502. Plaintiff spent through February 2015 reversing the damage.

IV.C.1.c Wire Fraud / DMCA 1201

503. Beginning in Q4 2014, Jason Rosenbaum/Action Network engaged in wire fraud to misrepresent Plaintiff's copyright authorship as his own, having the effect of DMCA 1201 violations.
504. Robyn Swirling was employed at Action Network May 2014 - Sep 2015.
505.  Document ⓘ 12/29/21 "Robyn Swirling LinkedIn" [D1267]
506.  [D1267]
-  Digital Organizer
Action Network
May 2014 - Sep 2015 * 1 year 5 months
Washington, DC
Worked with partners to craft comprehensive digital strategies that integrated Action Network with their ongoing communications and organizing plans and priorities.
507.  Conference Session ⓘ 07/16/15 ⓘ 2015-07-16 3:45pm "Master Class: Action Network, Master Class: Action Network | Netroots Nation" [D847] ⓘ Netroots Nation, ⓘ Netroots Nation; ⓘ Netroots Nation; ⓘ Action Network, Coop, Coop
508.  ⓘ N. Nation ⓘ 3:45p [D847]
-  Robyn Swirling is the Digital Organizer at Action Network, where she trains new users on Action Network's toolset and works with partners to develop their digital strategy.
509. An example of this fraud is OSDI Person Signup Helper, which along with the other helpers are the most commonly used parts of the specification.

IV.C.1.c.1 Person Signup Helper

IV.C.1.c.1.1 Example: Plaintiff's Authorship




510. Person Signup Helper was originally authored by Plaintiff in April 2014.

511.  Specification  04/30/14 "person helper * opensupporter/osdi-docs@e4f894d" [D1526]  GitHub

512.  Specification  06/12/14 "person_signup_helper move input person attrs under person parent key.... * opensupporter/osdi-docs@a1e2904" [D1525]  GitHub

IV.C.1.c.1.2 Example: Jason Rosenbaum's Commits

513. On 12/31/2014, Jason Rosenbaum copied the definition of Person Signup Helper, which was Plaintiff's authorship into a new file. The Github "blame" view attributes each line of the file to the committer who last touched line.




514.  Github  12/31/14  2014-12-31 11:59am "person signup helper first draft opensupporter/osdi-docs@8a50587,person signup helper first draft opensupporter/osdi-docs@8a50587 Github" [D1964]  GitHub

515.   github  11:59a [D1964]

OSDI Specification. Contribute to opensupporter/osdi-docs development by creating an account on GitHub.

IV.C.1.c.2 Other Patterns of Fraud

516. An example of reformatting the specification to change the apparent authorship is

517.  Github  02/17/15  2015-02-17 12:45pm "introduction update opensupporter/osdi-docs@4660ed9,introduction update opensupporter/osdi-docs@4660ed9 Github" [D1983]  GitHub

518.   github  12:45p [D1983]

OSDI Specification. Contribute to opensupporter/osdi-docs development by creating an account on GitHub.

519. Examining the commit history of the essential IP in the specification reveals similar fraud. In other cases, Jason Rosenbaum changed the indentation, added formatting changes, punctuation, other de minimis changes, or used "revert commits" to game GitHub's analytics and pad his score..

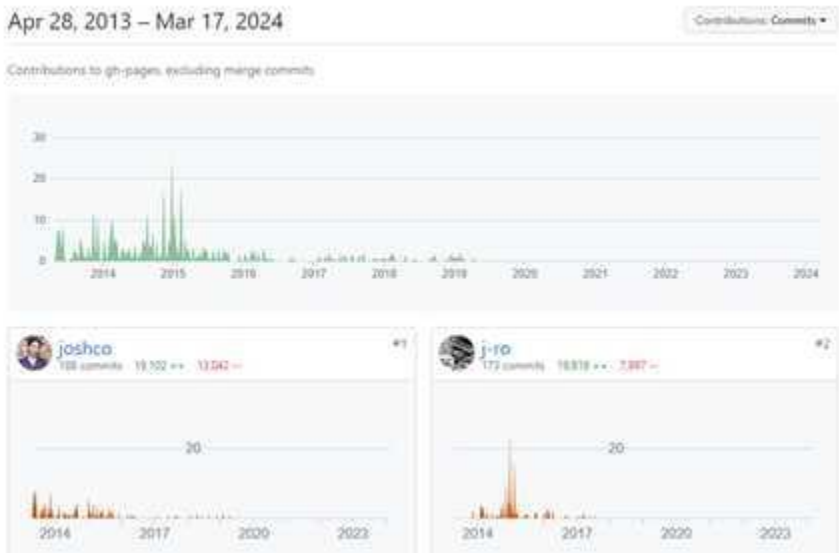
520. Revert commits can create an effect similar to one using a word processor to add a paragraph, then undo to remove it, then undo the removal, which gives credit for additions and deletions of each line, effectively "padding" commit credit 3x.

IV.C.1.c.3 Concealment

521. To conceal the wire fraud, Jason Rosenbaum often buried the fraudulent commits within his assigned committee tasks. In other cases he would provide a fraudulent justification, such as proclaiming a need to reformat section of the specification in preparation for a proposed Labor Committee.

IV.C.1.c.4 Effect

522. In addition to misrepresenting the copyright authorship, the effect of the fraud "gamed" GitHub's contribution metrics. The period with the most significant commits is 4Q14-1Q15. This is shown as a spike in Jason Rosenbaum's commits on the GitHub dashboard.



3011_GracketeeringPgithub_metrics

IV.C.1.d VC New Media Ventures Partners with Netroots Nation

523. New Media Ventures partners with Netroots Nation on their yearly "New Tools Shootout" beginning on or before Netroots Nation 2014. Plaintiff has email announcements from Mary Rickles.

524. Email Subject 07/02/14 2014-07-02 4:59pm "What's the next hot organizing technology?" [D1992*] Netroots Nation Mary Rickles

525. Netroots Nation Mary Rickles 4:59p [D1992]

Dear Josh, A few weeks ago we put out a call for submissions to compete in this year's New Tools Shootout event at Netroots Nation... we've partnered with New Media Ventures to produce the event.

526. OSDI was a contender for the "New Startup Technology" category.

527. N. Nation 4:59p [D1992]

Best Startup Technology: Action Network, Empower Engine, Long Distance Voter, Open Supporter Data Interface (OSDI)

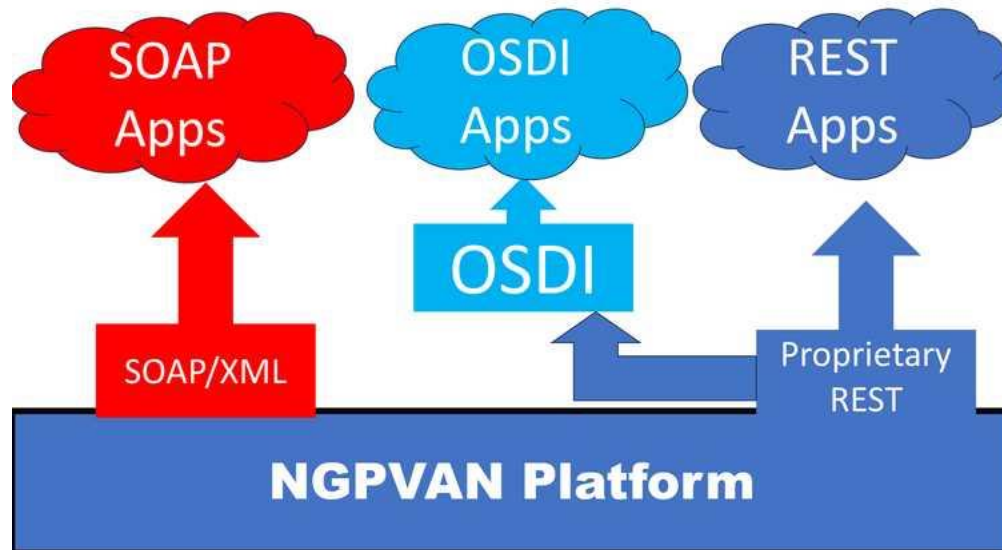
IV.C.1.e Self-Preferencing / Monopsony / FUD

528. From that point, Defendants used Plaintiff as a shield to protect their platform disintermediation scheme; the dominant player nor the DNC couldn't destroy OSDI without appearing homophobic, monopolistic and hypocritical compared to the positions of Democrats on the House Subcommittee for Antitrust.

529. On the back stage, Defendant's used parallel conduct to:

- Induce a self-preferencing technical architecture in NGPVAN's implementation
- abused the AFL-CIO's monopsony power to control NGPVAN's resource allocation to favor its proprietary API
- promulgated Fear, Uncertainty, and Doubt (FUD) to discourage application vendors from trusting NGPVAN's OSDI endpoint in their integrations.

IV.C.1.e.1 Self-preferencing Technical Architecture



Self-Preferencing Architecture

530. Chaining the OSDI endpoint through the proprietary endpoint ensured that the proprietary API endpoint could not fall behind the OSDI endpoint in functionality. In the event of resource constraints, the proprietary endpoint would get priority and the OSDI endpoint would fall behind.

531. Web Page 06/11/18 "GitHub - NGPVAN/osdi-service: Access to VAN resources that complies with the OSDI specification. See <http://opensupporter.org/,NGPVAN/osdi-service>" [D1971] GitHub

532. Email Subject 02/22/16 2016-02-22 6:12pm "1:1" [D525*] Josh Cohen

533. 6:12p [D525]

| 2016_02_22_van_hustle_preferencing

534. Josh Cohen 6:17p [D525]

| As we discussed back when NGP VAN chose the 2 protocol (proxy approach) there are some potenal pialls with that approach. One is that the OSDI implementaon will lag behind the VAN proprietary API in funconality and that can create a negave percepon of using OSDI to integrate with VAN.

535. J. Cohen 6:17p [D525]

Looking at the github commit history it's clear that (prior to my embedded fix) it's almost 6 months since the last commit and there is clearly more functionality in the VAN proprietary API exposed than via OSDI. It is behind. I

536. Chat 03/16/16 2016-03-16 11:43am "chat" [D406]

537. Josh Cohen 11:43a [D406]

Drew, I understand that Shai is now the OSDI rep, but I would to have a short dialog with both of you. I want make sure that the private assurances that you communicated back when NGP VAN made its implementation commitment are still valid and that they were downloaded to Shai.

This was when you selected the proxy approach, reached out to me to get my opinions of if it would be helpful (or if i would poop on it), the concerns I expressed, and your assurances that they would be avoided with a best effort approach.

Im not trying to take shots at NGP VAN. Im trying to make sure we are on the same page, and I have also been helping by writing code for your osdi service (for free i might add!) to help keep it up to parity and usefulness for customer scenarios while resources are scarce due to the presidential election.

538. Drew Miller 12:24p [D406]

Hey josh - I can get on the phone with you and Shai for about 15 minutes at 12:45 if you are open.

IV.C.1.e.2 Monopsony Power

539. Action Network and the AFL-CIO were influencing NGPVAN's resource allocation.

540. Email Subject 03/16/16 9:46p "van" [D407*] Josh Cohen

541. Josh Cohen 9:46p [D407]

I met with Shai and Drew today to discuss the implementation commitment. No heads exploded... we moved on to the future and a discussion on pull requests created by me to meet the current interop profile needs. They said that in principle they will accept the pull requests and deploy them in their service, modulo code reviews et al.

542. Jason Rosenbaum/Action Network was profiting by exploiting Plaintiff's labor, proficiency and retirement savings. As a diversion, he falsely portrays NGPVAN as the guilty party.

543. Jason Rosenbaum 9:48p [D407]

Cool. As good as can be expected I guess. I had a call with the AFL yesterday, so they're prepped to put on pressure to accept the PR if we need it. Gotta figure out the free work problem though, but maybe adoption will help with that.

544. As a result of Action Network's ruse, Plaintiff believed supporting Labor meant he should ask for compensation for his work. When Plaintiff proposed that to Drew Miller at NGPVAN, they declined. Plaintiff did the work pro-bono anyway.

545. J. Cohen 9:51p [D407]

cool cool. Yeah, i'm gonna find a way to slip in the free issue when it feels right. They could certainly pay me.

546. J. Rosenbaum 9:57p [D407]

And should. And when they have customers depending on the OSDI proxy, hopefully will.

IV.C.1.e.3 FUD

547. In parallel, Defendants were criticizing NGPVAN's OSDI endpoint, using proxies, to discourage application integrators from depending on the OSDI endpoint, and instead choosing the integrate with NGPVAN's proprietary API endpoint.

548. [Github](#) [05/12/17](#) [2017-05-12](#) "Missing most OSDI resources Issue #15 NGPVAN/osdi-service,Missing most OSDI resources Issue #15 NGPVAN/osdi-service GitHub" [D1970] [Github](#)

549. [Evan Henshaw-Plath](#) [1:03p](#) [D1970]

This tool is nice but it's lacking support for the following OSDI resources:

Advocacy Campaigns

Answers

Attendances

Canvasses

Canvassing Efforts

Donations

Events

Forms

Fundraising Pages

Items

Lists

Messages

Outreaches

Petitions

Queries

Results

Scripts

Script Questions

Share Pages

Signatures

Submissions

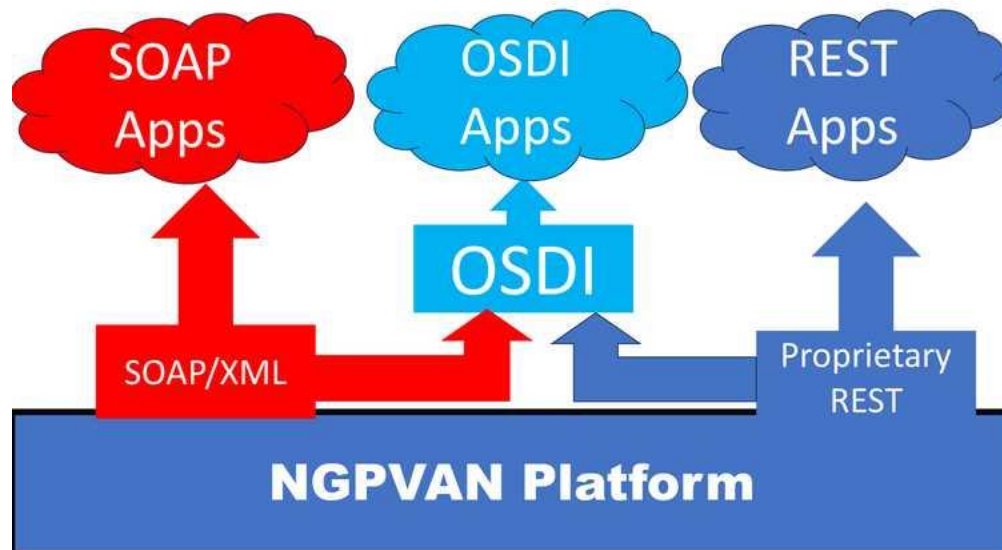
Taggings

Is this still under active development and does NGPVan have plan on supporting the rest of the OSDI spec?

IV.C.1.f Mitigate Self-Preferencing Architecture

550. To mitigate the self-preferencing architecture, Plaintiff contributed source code to NGPVAN's OSDI implementation which added functionality to the OSDI enpoint that the propprietary API endpoint *did not* have.

551. Plaintiff achieved this by including code that routed to NGPVAN's legacy SOAP/XML based endpoint which had fuller functionality than the proprietary API endpoint which was newer and had fewer applications using it.



Mitigate Self-Preferencing

552. For example, the SOAP/XML endpoint supported *Script* resources while the proprietary REST API did not. So Plaintiff submitted code in the OSDI endpoint that integrated with the SOAP/XML to expose *Script* resources via OSDI.

553. [Github](#) 04/23/16 2016-04-23 1:14pm "Events and Scripts by joshco Pull Request #7 NGPVAN/osdi-service,Events and Scripts by joshco Pull Request #7 NGPVAN/osdi-service GitHub" [D1969] [GitHub](#)

554. [github](#) 1:14p [D1969]

I've removed WIP from this PR because I think it's ready for an approval discussion
 Events Events are now supported: GET events/ (collection) GET events/:id (individual)
 GET events/:id/att...,I've removed WIP from this PR because I think it's
 ready for an approval discussion Events Events are now supported: GET events/ (col-
 lection) GET events/:id (individual) GET events...,Ive removed WIP from this PR be-
 cause I think its ready for an approval discussion Events Events are now supported:
 GET events/ (collection) GET events/:id (individual) GET events/:id/attendances (col-
 lection of attendances/signups) GET attendances/:id (individual GET on an attend-
 ance/signup) POST events/:id/record_attendance_helper (signup for an event)
 Event representations include the relevant roles, shifts, statuses, etc Scripts Scripts are
 supported along with script_question which is the association between a question
 and a script and where sequence is defined GET scripts/ (collection) GET scripts/:id
 (individual, which contains embedded script_questions and questions) TODO syn-
 thetic links for script_questions synthetic script_questions added

IV.C.1.g External Network Effect Tipping Point

555. By 2016, Defendants knew that their increasingly complex schemes to undermine the project and misappropriate the work had failed. Defendants were trapped in the lies they had been telling Plaintiff to fraudulently induce his labor and use his retirement savings for their own gain.

556. Defendants' strategy was depending on OSDI failing quickly and predictably as early as August 2014, however OSDI was a runaway success which came to the tipping point where it would be permanent, at least until the next technology generation.



337 meetings functioning as democracy

557. This was a threat to Defendant's ulterior motive of using OSDI to bootstrap their proprietary walled gardens to gain gatekeeper powers over essential resources for candidates running for election.
558. They knew that Plaintiff would never agree to his IP being used to build proprietary walled gardens, wasn't interested in money, and was only interested in building an external network effect.
559. Finally, Plaintiff's workplace behavior was professional and a positive example of extreme generosity, so Defendants didn't have any pretext to criticize Plaintiff.
560. At any time, Defendants could have removed Plaintiff from his position, or the project altogether by making a motion and securing a majority vote, which they had the power to do.
561. Defendants never attempted to do this; Plaintiff took this to mean that the conflict was not serious. Defendants didn't want to be seen as the aggressors that they were, or to appear homophobic.

IV.C.1.h Robbery by Extortion and #metoo Wire Fraud





















562. As a result, Defendants needed to manufacture a pretext to justify aggression coercion and fraud, exclude Plaintiff from spaces where he might discover their actions, silence Plaintiff's voice so he couldn't defend himself or expose Defendants unlawful conduct to the community, and prevent anyone from the gay rights movement from coming to plaintiff's aid, all without appearing homophobic.
563. On or before the DNC 2016 convention in Philadelphia, Defendants recruited Kevin Jennings who had served as a Deputy Undersecretary in President Obama's administration. Plaintiff only knew Kevin as Executive Director of the Arcus Foundation, one of two dominant funders of the gay rights movement.
564. Defendants also recruited women as proxies including Robyn Swirling, who had been an action Network employee at the time Jason Rosenbaum was engaged in wire fraud to misrepresent the copyright authorship of the OSDI specification.
565. Defendants engineered a Robbery by Extortion scheme that exploited Disparate Impact between protected classes created by the #metoo moment. Put succinctly, by framing a gay male as an example of sexual harassment and violence towards women, Defendants could apply "the man's side doesn't matter" to the property rights of the gay male they were exploiting under the guise of protecting women.
566. The effect of this scheme allowed Defendants to misrepresent Plaintiff's fear response to the coercion.





Frontstage: Movie Trust Women

2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
------	------	------	------	------	------	------	------	------	------	------

Backstage: Robbery by Extortion

Wire Fraud





567. Starting in Summer 2016, Defendants lured Plaintiff into a trap to deliberately provoke a conflict, framed Plaintiff as an example of sexual harassment and violence towards women, which incites *hatred towards othered sexualities*.
568. In early 2016, Plaintiff exposed a vulnerability; he was on the weaker side of a large power disparity compared to his ex-boyfriend Greg Rae. In July 2016, Beth Becker told Plaintiff that Greg's name was already on a list of abusive men within the community and knew other people who were supposed victim's of abuse by Plaintiff's ex-boyfriend.
569. This scared Plaintiff, and he sought safe harbor. Beth Becker recommended Plaintiff attend a session at Netroots Nation 2016 on the topic of HR policies to prevent retaliation and abuse.
570.  Web Page  07/15/16 "Living and Working Our Values: Dismantling Rape Culture in Progressive Spaces and Ending Sexual Harassment and Violence at Work [Voter Pick] Netroots Nation" [D1008]
571.  Sms  07/16/16  2016-07-16 2:28am "Chat with Beth Becker" [D1608]
572.  Josh Cohen  2:28a [D1608]
 | Since names are passd along, my perp was greg rae
573.  J. Cohen  2:53a [D1608]
 | Fyi if the other person or people who mentioned his name are willing, id like to meet them and talk
574. Plaintiff decided to join the follow-on Google Group, and reconfirmed with Beth Becker that she had the right name.
575.  Chat  07/25/16  2016-07-25 3:40pm "GChat between Josh Cohen, Beth Becker" [D1570]
576.  Josh Cohen  3:40p [D1570]
 | checking in, is there a discussion list being started after the NN rape culture sessionn
577.  Beth Becker  3:40p [D1570]
 | i think so but im not in charge...thats robyn and sabrina and likely not til after convention
578.  J. Cohen  3:42p [D1570]
 | also, my head is spinning a bit from our conversation, just to double confirm, the name that was already on the list is Greg Rae, right?
579.  B. Becker  3:42p [D1570]
 | yes

580.  Email Subject  07/25/16  9:26p "You have been added to WOV: HR working group" [D1704*]  WOV: HR working group

581.   Robyn Swirling  9:26p [D1704]

Hi Josh Cohen, Robyn Swirling added you to the WOV: HR working group group. Message from This is the working group for creating HR systems and policies to address sexual harassment and assault in progressive organizations. This is a sub-group of the Working Our Values group.
About this group: This is the working group for creating HR systems and policies to address sexual harassment and assault in progressive organizations. This is a sub-group of the Working Our Values group.
Google Groups allows you to create and participate in online forums and email-based groups with a rich community experience. You can also use your Group to share documents, pictures, and calendars invitations.

582. At the DNC 2016 convention, Plaintiff sought help from Kevin Jennings, Executive Director of Arcus Foundation, one of two dominant funders of the gay rights movement.

583.  Email Subject  08/09/16  2016-08-09 10:00am "followup from Equality Forum" [D892*]  Josh Cohen

584.   Josh Cohen  10:00a [D892]

Hi Kevin, It was nice meeting you at the EqForum Panel in Philly. I was exceptionally impressed with your response to the rape culture question! As we discussed, it makes sense to continue the dialog... I run OSDI, opensupporter.org which is a data standard to make integration between tools and services progressive customers use. I've finished a more reusable and greatly expanded version of the toolset we built at Washington United for Marriage. Now I'm piloting it with some progressive campaigns. So it would be great hear thoughts from someone with your perspective on how I might most effectively contribute to the cause.

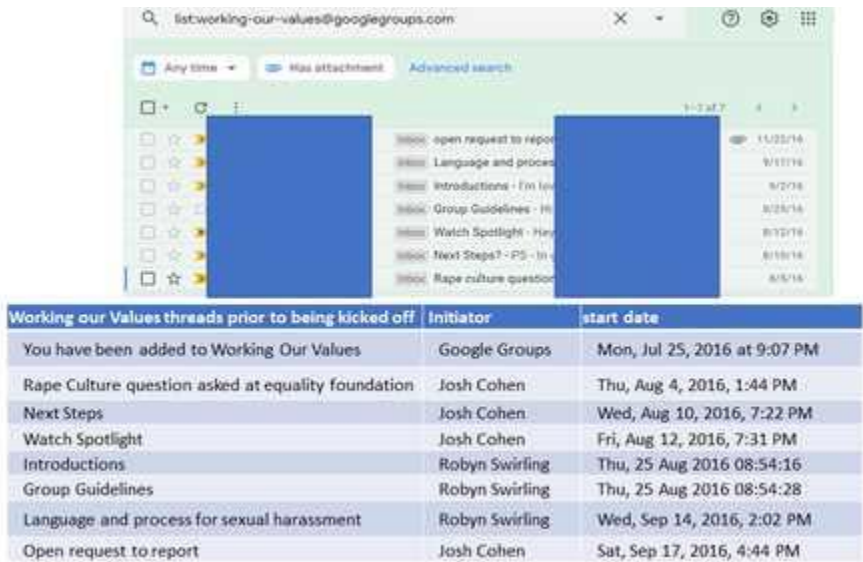
585.   Kevin Jennings  10:02a [D892]

Hi josh:
I will have Rodrigo find us a half hour when you can come by the office. FYI I am traveling a ton so it may be a bit!

586.   Rodrigo Aguiar  2016-08-11 9:53am [D892]











Hi Josh,
Thank you for your patience.
Would you be available on Oct 25 at 3:30 pm for a meeting with Kevin at Arcus?
If so, I will be happy to send a calendar invite.
Thank you!
Rodrigo

587. 30 days after Plaintiff was added to the google group, the leaders kicked off the group, provided the membership list, and asked members to participate in an introductions thread.



Working our Values threads prior to being kicked off	Initiator	start date
You have been added to Working Our Values	Google Groups	Mon, Jul 25, 2016 at 9:07 PM
Rape Culture question asked at equality foundation	Josh Cohen	Thu, Aug 4, 2016, 1:44 PM
Next Steps	Josh Cohen	Wed, Aug 10, 2016, 7:22 PM
Watch Spotlight	Josh Cohen	Fri, Aug 12, 2016, 7:31 PM
Introductions	Robyn Swirling	Thu, 25 Aug 2016 08:54:16
Group Guidelines	Robyn Swirling	Thu, 25 Aug 2016 08:54:28
Language and process for sexual harassment	Robyn Swirling	Wed, Sep 14, 2016, 2:02 PM
Open request to report	Josh Cohen	Sat, Sep 17, 2016, 4:44 PM



Email Threads on WOV

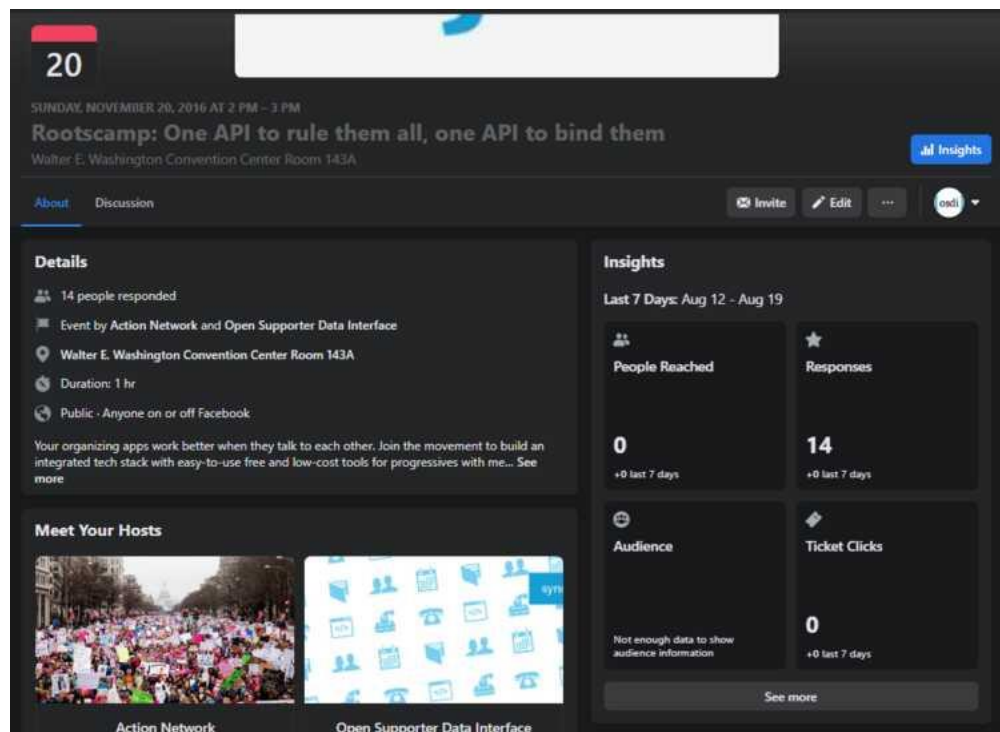
588.  Email Subject  08/25/16  2016-08-25 11:54am "Introductions" WOV Email" [D92] 
Robyn Swirling
589. Brian Young and Beth Becker were present on the google group.
590.   11:54a [D92]
"Brian Young" is name #5 in member list
"Beth Becker" is #4
591. The leaders assured members of confidentiality.
592.   11:54a [D92]
The words and stories and such that people share, as well as brainstorming, work plans, etc., are all confidential and should never be shared without the poster's explicit consent.
593.   11:54a [D92]
So we can all get to know each other, know where people are coming from and the spaces they move in, etc., we ask that everyone chime in to this thread with a short introduction of yourself - who are you, what movement spaces are you a part of (professionally or otherwise), and what's your interest in being involved in the work to end sexual harassment in progressive organizations?
594. Though Brian Young was present on the list, and in the membership list, he *did not* participate in the introductions thread. Had he done so, Plaintiff would have recognized him and that this was an Action Network scheme to gain control of OSDI.
595. From this point forward Brian Young used his female former employee, Swirling, as a proxy. This allowed defendants to conceal their roles as aggressors and terrorize Plaintiff by concealing his sexual orientation and framing him as an example of sexual harassment and violence towards women.
596. Framing gay, transgender, black or muslim men this way incites *hatred towards othered sexualities*, which creates a foreseeable risk of inciting violence or homicide. Since sexual orientation is invisible, and Defendants concealed it, they were able to get away

with a dangerous robbery by extortion, in plain sight.

597. Through the beginning of 2020, Defendants used the incited hatred, danger, and economic damage to try to coerce or trick Plaintiff to abandon his property rights, while Kevin Jennings and GAY_INC participants made sure no one came to Plaintiff's aid, replicating the elements of torture.

598. Plaintiff endured this at great cost to his business, safety and property because he believes preserving the external network effect in this market increases the fairness in primary elections.

599.  Event  11/20/16  2016-11-20 2:00pm "Rootscamp: One API to rule them all, one API to bind them" [D1441] 



"One API to rule them all, one API to bind them" [D1441]

600. This meant Plaintiff would be absent from the OSDI session on the final day, so Plaintiff asked Rapi Castillo to present in his place.

601.  Email Subject  11/20/16  12:28p "For the OSDI panel" [D876*]  Rapi Castillo

602.   Rapi Castillo  12:28p [D876]

Hey Josh, Joe told me about being in the panel just want to confirm and know if i should prep for it

603.   Josh Cohen  12:44p [D876]


Yes you should sync with jason and seth

604.   Jason Rosenbaum  12:48p [D876]

Come by the room at 1:40 and we'll prep a bit before together.

605.   R. Castillo  12:55p [D876]

Sounds good.

606.   R. Castillo  1:19p [D876]

Sounds good. I may need to go right after the discussion if that's ok , as I have to catch a flight at 4:10p.

607. By August 2016, the situation had become dangerous and intolerable. Plaintiff was depressed, stressed and increasingly scared. Plaintiff started therapy, with the first of 38+ sessions occurring on 9/2/2016, continuing during the struggle. Insurance didn't cover the full cost; Plaintiff spent roughly \$3000 out of pocket.

608. By using women as proxies, Defendants induced the community to apply "Trust Women" on the front stage, they could conceal a dangerous robbery by extortion on the back stage.

609. For example, on the back stage, Defendants made use of an ex-military soldier, Josh Seefried, in a way that felt like a threat to Plaintiff in the context of Defendants attempts to coerce Plaintiff to abandon his property rights. This was concealed by the use of a women on the front stage.

IV.C.1.i Plaintiff seek help protecting the external network effect from Kevin Jennings

610. On December 8th, 2016, Plaintiff emailed Kevin Jennings, Executive Director of Arcus Foundation, one of two dominant funders of the gay rights movement, proposing a plan to protect the external network effect while incentivising innovation by reinvesting any profits back into the cause of LGBT equality, which benefits everyone.

611.  Email Subject  12/08/16  2016-12-08 11:14pm "ArcusHero" [D1634*]  Josh Cohen

612.   Josh Cohen  11:15p [D1634]

In my execution of this vision, I've analyzed many of the challenges FF faced and addressed or worked around them. One key problem is the variety of CRMs and tools that orgs and campaigns use and lack of compatible APIs and data formats. As a result, the integration work becomes an MxN matrix that is cost prohibitive for a small innovator. Few CRMs have a large enough addressable market to support a business. To address a wide market, their dev resources would be more time on integration connectors than the actual features and innovation of the product itself. Furthermore, small application innovators will have a hard time attracting the attention, and dev resources at the larger platforms that have larger addressable customers.

613.   J. Cohen  11:16p [D1634]

To address this, in 2013 I started pushing the ecosystem in a direction toward a common API by founding the Open Supporter Data Interface (OSDI) <http://opensupporter.org/#coalition> . This has now grown into a large coalition of progressive customers and vendors. In 2015 came to consensus on a pretty rich core specification <http://opensupporter.github.io/osdi-docs/> (slow for humans, but pretty fast for a standards committee.) Since then we've been focusing on implementation and have made some major strides. Platforms like NGP VAN's "VAN" product has a reasonable OSDI connector, Action Network (the new digital CRM on the block with hockey stick growth) is natively OSDI. Supporting applications like Act Blue(fundraising), CallHub (dialer) have also implemented interop with OSDI. Things are moving in the right direction and it is becoming cost-probable to start to build products that can integrate with the growing OSDI ecosystem.

614.

  J. Cohen  11:17p [D1634]

I've been interacting with many progressive focused vendors over the years and it is an extremely difficult road. The reality is that the progressive ecosystem isn't *that big* to really be able to fund and maintain a for-profit business on its own. OSDI helps reduce costs, and my own no-fluff approach helps too. But since they are only serving 1 side of the political spectrum, what typically happens is the for-profit entity turns to commercial customers... The result of this is milquetoast solutions like Salsa, Blue State Digital, Mobile Commons, which have been compromised with either corporate acquisition, or VC pressure. VCs are looking to maximize their return...

615.


  J. Cohen  11:18p [D1634]

if we can treat technical tool provisions as a form of funding and housed under a funding umbrella AKA ArcusHero, then the following can occur Feature set can remain focused on causes, not profits Customer set can expand beyond LGBT to progressive and dem political, but not get distracted by corporate needs... Tools can be provided at low-cost (wholesale) or free Tools could be packaged with Arcus funding grants Tools give Arcus a great set of assets to bring to the table in causes orgs and campaigns. For example, with the upcoming LGBT discrimination bills and campaigns, this could give Arcus greater influence.





616.

Lia Parifax confirmed receipt of the proposal on January 26th at 3:39pm

617.

 Lia M. Parifax, "I hope all is well. I wanted to follow up on this thread. I was actually able to review your materials and am happy to follow up with our new EDs about your work. Things are quite busy here with the leadership transition, so it may take a little longer than I imagine you were hoping. But, I am adding it to my list for us to discuss internally as soon as possible." ⁷

618.

 Email Subject  01/24/17  2017-01-24 6:08pm "Canceled: Meeting: Josh Cohen - Discuss the LGBT movement and Josh's involvement in it." [D1959*]  Kevin Jennings

619.

  6:08p [D1959*]

Canceled: Meeting: Josh Cohen - Discuss the LGBT movement and Josh's involvement in it.

620.

 Email Subject  01/24/17  6:08p "Canceling Kevin Jennings" [D890*]  Rodrigo Aguiar

621.

  Rodrigo Aguiar  6:08p [D890]

Dear Josh,
I am reaching out to unfortunately cancel your meeting with Kevin Jennings. I am sorry to say but Kevin is no longer part of the Arcus Foundation. I apologize in his name for the times we had to reschedule your meetings. He was looking forward to meet with you.
Kindly see below.

622.

Lia Parifax confirmed receipt of the proposal on January 26th at 3:39pm

623.

 Lia M. Parifax, "I hope all is well. I wanted to follow up on this thread. I was actually

⁷ [D890] Email Aguiar, R., Cohen, J., Parifax, L. M., J., Young, E., & U. (2017, January 24). Canceling Kevin Jennings [Email]. Page 4 [D890, p.4]

able to review your materials and am happy to follow up with our new EDs about your work. Things are quite busy here with the leadership transition, so it may take a little longer than I imagine you were hoping. But, I am adding it to my list for us to discuss internally as soon as possible." ⁸


IV.C.1.j Higher Ground Labs founded by Obama cohort

624. After Trump's victory, Betsy Hoover and two partners founded VC Higher Ground Labs, as reported in the news:

625.  News ⓘ 11/02/17 "Can Democrats Harness the #Resistance?" [D1340] 
Bloomberg.com

626.  [D1340]

Since November, a new generation of progressive entrepreneurs and activists have quit their jobs to run for office or launch startups aimed at helping Democrats identify and turn out supporters, especially among groups like millennials and minorities that didn't show up for Clinton.



627.  [D1340]

After Trump's victory, Hoover and two partners, staked to \$3 million by Reid Hoffman and other Democratic donors, founded Higher Ground to provide mentorship and early-stage investment in politically focused tech startups.

628.  Betsy Hoover, Hgl [D1340]

Our reputation as Democrats is that we invest in technology, and that's true, says Betsy Hoover, a partner at Higher Ground Labs, who directed digital organizing for Obama's 2012 campaign.

629. **Front Stage** To create cover for the coercion, Defendants used a woman, Allya Rahman, posting on Google Group "Progressphiles" which falsely portrayed Plaintiff as profiting from exploited labor, when it was Plaintiff's labor being exploited.




































630.  Email Subject ⓘ 03/08/17 ⓘ 2017-03-08 9:26pm "{pp} They/Them/Theirs standard in OSDI" [D1645] 

631.  Aliya Rahman ⓘ 2017-03-09 8:12am [D1645]

Hey yall and Josh, I hear the open call for input here and embrace that it's what pp is all about - and I assume we'll get some awesome responses on here for folks who know this deeply and personally as well as professionally. AND I also want to push us as a data community to resource pieces of our work in ways that honor communities who are experts in these questions and who are simultaneously (i) rarely paid for their expertise...

632. **Back Stage** Plaintiff received a Facebook friend request from ex-military soldier "Josh Seefried", which scared Plaintiff, leading him to seek help.


































⁸ [D890] Email Aguiar, R., Cohen, J., Parifax, L. M., J., Young, E., & U. (2017, January 24). Canceling Kevin Jennings [Email]. Page 4 [D890, p.4]

633.  Email Subject  03/17/17  2017-03-17 10:13pm "eeek" [D157*]  Josh Cohen
634.   Josh Cohen  10:13p [D157]
 Today I got a friend request from this friend of XX's
<http://www.washingtonblade.com/2016/08/26/gay-air-force-lieutenant-found-not-guilty-sexual-assault/>
635.   Jason Rosenbaum  10:14p [D157]
 Yick..guess they roll together or something.
636.   J. Cohen  10:49p [D157]
 Yeah they are part of a certain clique.
637.   J. Cohen  10:53p [D157]
 Its pretty scary. XX is *really* smart and very much a chess player and the kind of attacker you dont see coming.
638.   J. Rosenbaum  11:18p [D157]
 Could be, I guess the fact that it's hard to tell is part of the idea.
639. Plaintiff sought help from Catalist, but the potential danger was brushed off by Catalist employee Cristina Sinclair, who served as a leader of the Data Ladies Alliance.
640.  Email Subject  03/18/17  2017-03-18 9:29am "Re: FW: checkin with Wellstone" [D635*]  Cristina Sinclair
641.   Cristina Sinclair  9:29a [D635]
 Hi Josh -
 I'm sorry to hear you're having a hard time. Today is Russ' first day of vacation, so let's let him enjoy his week off if you don't mind please. He deserves it. I haven't read the full chain yet, but I read your email. I don't have a lot of context here as I was not aware of this situation before your email and was only a volunteer helping with the Board at RootsCamp. Is there something you are looking for Russ and I to do to help resolve this? What is the ideal outcome you would like to see?
 Cristina
 Cristina Sinclair |
642. Two days later, Jason Rosenbaum exploited Plaintiff's state of fear by trying to coerce him to make a false confession which would give Action Network a pretext to demand Plaintiff's resignation.
643.  Chat  03/20/17  2017-03-20 11:35am "SMS Sync Up" [D143]
644.   Jason Rosenbaum  11:40a [D143]
 I'm done wasting my time arguing with you about the process here until you're willing to acknowledge your abuse of chair power here.
645.   J. Rosenbaum  12:45p [D143]
 If you don't understand why asking random people for input on our process was the wrong thing to do then I can't keep wasting my time trying to save you from yourself on this one. Happy to engage on other issues but do whatever you want here.












IV.C.1.k Plaintiff retains counsel

646. Plaintiff retained counsel, Glen Ackerman, to engage with Wellstone to resolve conflict. On April 30th counsel made contact with Wellstone, beginning negotiations to resolve conflict.

IV.C.1.l RagTag Joins

647.  Email Subject  05/04/17  2017-05-04 8:05pm "MOTION to approve RagTag as a progressive member" [D1999]  List governance,  Josh Cohen
648. [View on osdi-dev](#)
649.   Josh Cohen  8:05p [D1999]
 MOTION to approve RagTag as a member of the Progressive Drafting Committee + Liaison
Please cast votes by Monday 5/8 5pm Eastern
RagTag is an outgrowth of the volunteer coder army for Hillary during the election. They are the analog to progcode (origin as Coders4Sanders)
Brady Kriss, RagTag founder and members of their team will be attending and establishing a Liaison point of contact over time.
PS: To Probie Jacob, our process here is just to reply with Aye, Nay, yes, no, etc :)
650.   Seth Bannon  8:05p [D1999]
 aye
651.   Jason Rosenbaum  2017-05-05 10:31 am [D1999]
 Aye
652.   Adriel Hampton  10:34a [D1999]
 aye, and yay, Brady Kriss is great, I didn't realize this was her group.
653.   Joe McLaughlin  12:34p [D1999]
 Aye!
654.   Beth Becker  12:43p [D1999]
 Aye
655.   J. Cohen  2017-05-08 9:30pm [D1999]
 Motion Approved! Welcome to ragtag

IV.C.1.m Sonya Reynolds/Colibri joins

656.  Email Subject  05/09/17  2017-05-09 9:42am "MOTION to approve Sonya Reynolds as a progressive OSDI member" [D1998*]  Josh Cohen
657.   Josh Cohen  9:42a [D1998]
 MOTION to approve Sonya Reynolds as a progressive OSDI member
Please cast votes by Wednesday 5/10 5pm eastern
Sonya Reynolds is progressive data consultant in NYC and from the NY Civic Engagement Table. She serves only progressive causes and assisted us in our gender pronouns technical discussion.
658.   Adriel Hampton  9:46a [D1998]

| aye

659.   Jason Rosenbaum  9:47a [D1998]

| Aye

660.   Beth Becker  9:50a [D1998]

| aye

661.   Seth Bannon  10:13a [D1998]

| Aye aye

662.   Nathan Woodhull  10:31a [D1998]

| aye.

663.   J. Cohen  2017-05-10 4:57pm [D1998]

| MOTION APPROVED

IV.C.1.n Plaintiff resolves conflict via counsel

664. Due to the escalating danger, Plaintiff retained counsel for the first time since fighting a speeding ticket 30 years go. Counsel negotiated with Wellstone/Rootscamp to de-escalate the situation adn was successful.

665.  Email Subject  05/11/17  2017-05-11 4:54pm "Wellstone Action - Update" [D323*] 
Glen H Ackerman

666.   Glen H Ackerman  4:54p [D323]

| I had a rather lengthy conversation with counsel. You are welcome to participate in any Wellstone Action event provided that you comply with Wellstone Action's Code of Conduct.

667.   G. Ackerman  4:54p [D323]


| Opposing counsel agrees that Wellstone Action did not properly address the incident that took place at the Wellstone Action RootsCamp event in Washington District of Columbia last November.
Your participation in future Wellstone Actions should alert participants in the RootsCamp event that witnessed your removal that all is well.

IV.C.1.o Netroots Nation 2017

668. Netroots Nation 2017 was the tipping point for the external network effect, and as a result the final OSDI conference session before Defendants' racketeering activity excluded Plaintiff.

669. On the eve of the conference, Plaintiff received Facebook RSVP notifications for the OSDI session from Robyn Swirling and Jamie McGonnigal.

IV.C.1.p Robyn Swirling and Jamie McGonnigal RSVP to OSDI Caucus

670.  Sms  08/10/17  2017-08-10 10:22pm "SMS with Jason during NN17" [D234]

671.   Josh Cohen  10:22p [D234]

| pdi?

672. | Jason Rosenbaum 10:22p [D234]

| Soon

673. | J. Cohen 10:25p [D234]

674. | J. Cohen 10:58p [D234]

| You invited robyn to the osid event?

675. | J. Rosenbaum 10:58p [D234]

| Maybe? I think I invited my whole friends list

676. | J. Cohen 10:59p [D234]

| I also see jamie mcgonnigal on "interested"

677. | J. Rosenbaum 10:59p [D234]

| Yeah same story I guess. I'll see if that's possible

678. | J. Cohen 11:01p [D234]

| Id also ask you to have a conversation with robyn. If she is genuinely interested in participating in the discussion thats cool.

679. | J. Cohen 11:01p [D234]

| But if this is a setup its a nogo

680. | J. Cohen 11:01p [D234]

| Im going to have a reporting convo with nn staff just in case

681. Plaintiff feared they were planning another attack, and didn't want anything to do with either of them. Plaintiff made a complaint, via email, to Eric Thut asking to meet. Plaintiff asked Eric to ask Jamie and Robyn to not interfere with the OSDI session or Plaintiff's participation at the conference. If either of them were planning to participate in a constructive manner, they were welcome to attend.

682. | Email Subject 08/08/17 2017-08-08 6:12pm "Coc & Last Minute Details for Netroots Nation Booth" [D969] Linda Lee

683. | Linda Lee Netroots Nation Exhibits 6:12p [D969]

| From: Linda Lee (exhibits)

| Hello Netroots Nation exhibitors! I have a few last minute details for you:

- 1) Town Square only pass: If you need Town Square only passes for your colleagues who are staffing your booth, they will be under your name at the












































| ...

684. | Josh Cohen 9:11p [D969]

| Could you connect me with the staffer who would be responsible for code of conduct issues at the conference?

685. | L. Lee 9:37p [D969]

| You can reach out to our Interim Executive Director, Eric Thut at eric@netrootsnation.org.

686.   J. Cohen  9:48p [D969]
 Thanks
687.  Email Subject  08/10/17  2017-08-10 11:20pm "Gmail Potential code of conduct issue" [D1705*] 
688.   Josh Cohen  11:20p [D1705]
 Id like to meet with you tomorrow morning before the osdi tech caucus at 1p. (Ideally not last minute) This is a precautionary conversation related to a rape culture situation. What ive been dealing with is the retaliation that comes from having spoken up about some sexual assault/abuse by a member of the community. I know thats probably a jolt but it is what it is.
689.   Eric Thut  11:26p [D1705]
 Can I bring in Mary on this conversation?
690.   J. Cohen  2017-08-11 12:07am [D1705]
 Sure thing
691.   E. Thut  8:02a [D1705]
 Can you came to Chicago E before 9:30
692.   J. Cohen  8:37a [D1705]
 Yup
693. Plaintiff met with Eric Thut and Mary Rickles that evening, and asked them to prevent any aggression or interference from Robyn Swirling and Jamie McGonnigal.
694.  Audio  08/11/17  9:30a "Complaint to NN17 re aggression" [T249]  ;  Josh Cohen, Self;  Eric Thut, Netroots Nation;  Mary Rickles
695.   Josh Cohen  +03:55 [T249]
 I want you to ask Jamie not to attend, not to attend that session and have no contact with me whatsoever.
696.   Eric Thut  +04:45 [T249]
 It's a little difficult to ask people to stay away from each other. You know, that's not the business we want to get into. As the official people in some ways we're taking a side of something, that we were not part of. What if I sat in on the caucus and just make sure it went well.
697. Eric refused.







IV.C.1.q Disinformation Campaigns

698. In Parallel to Defendants racketeering, Dimitri Mehlhorn used Reid Hoffman's money to fund experiments to replicate the Russian GRU tactics which were used to hack the DNC, and manipulate the 2016 election. The first Plaintiff is aware of was a fake "Dry Alamaba" digital campaign using fake Facebook and Twitter accounts run by Beth Becker to create false flags to influence a 2017 special election in Alabama.
699.  News  01/06/19 "Secret campaign to use Russian inspired tactics in 2017 Ala

election stirs anxiety for Democrats The Washington Post" [D1669]




700.  News ⓘ 01/07/19 "Democrats Faked Online Push to Outlaw Alcohol in Alabama Race (Published 2019)" [D1180]
701.  News ⓘ 12/27/18 "LinkedIn Co-Founder Apologizes for Deception in Alabama Senate Race (Published 2018),LinkedIn Co-Founder Apologizes for Deception in Alabama Senate Race - The New York Times" [D822]
702.  News ⓘ 12/20/18 "Secret Experiment in Alabama Senate Race Imitated Russian Tactics (Published 2018)" [D818]

IV.C.1.r Abuse of Process

703. By Netroots Nation 2017, the conspiracy had grown to include Straight men who were exploiting a gay male from the outset, Reid Hoffman's political director Dimitri Mehlhorn, Venture Capitalists, Big Gorillas, and overzealous fundraisers caught up in the stampede to get Reid Hoffman's money.
704. Defendants positioned themselves and their proxies within the OSDI project in anticipation for the complaint Cohen v. Siwrling to gain control.
705. After Netroots Nation 2017, the DNC strung Plaintiff along through October 2017, paralyzing the DNC conversations started with Raffi, and waiting for the complaint to be filed. Once it had been filed and served, Defendants planned their abuse of Litigation Privilege, then unparalyzed the conversation.
706.  Email Subject ⓘ 08/27/17 ⓘ 2017-08-27 "DNC Followup" [D329]  Josh Cohen
707.  Josh Cohen ⓘ 2:27a [D329]
 | you mentioned you were coming to NYC soon. When is/was that?
708.  Liz Jaff, DNC ⓘ 1:28p [D329]
 | Adding Sally
 | Raffi will be in NYC soon
 | Sally josh runs OSDI an initiative raffi is very interested in this open data option
 | Let's make sure we stay connected on what's next. Fisher is lead for open API so
 | good to flag for him so he stays connected with josh too
709.  Sally Marx, DNC ⓘ 2017-08-28 9:49am [D329]
 | Raffi will be in NYC on 9/18. Any chance you are free to meet with him then? If you
 | don't mind, we'd also like to have Fisher join. As Liz mentioned, he is the lead on our
 | team for open API.
710. This conversation continued through early October.
711.  L. Jaff ⓘ 2017-10-03 12:03pm [D329]
 | Let's plan next week tamaira please reach out to Josh to schedule a call with me
 | and him
712. Plaintiff met with Liz Jaffe to discuss the OSDI proposal, but there was no action.
713. In Q4 2017, Plaintiff liquidated IRA savings account so the funds would be available to

fund his time and labor during the struggle save OSDI.

714. In December 2017, after the complaint was provoked and filed, Alison Schary who would serve as Defense Counsel for Robyn Swirling appeared Pro Hac Vice in Gubarev v BuzzFeed, a matter related to the "Trump Dossier" authored by British Intelligence agent Christopher Steele and published by BuzzFeed.

715.  Document  12/15/17 "Gubarev et al v. BuzzFeed, Inc. et al" [D1573]  Justia Dockets & Filings



716.  [D1573]

Filing 102 ORDER granting 101 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney(s) Alison Schary. Signed by Judge Ursula Ungaro on 12/15/2017. (ls)

IV.C.1.s New Mode Upgrades to Governance

717. The company New/Mode was part of Higher Ground Labs initial cohort of funded companies. New/Mode would benefit from its OSDI implementation.

718. According to Nathan Woodhull, he had a long conversation about profit and purpose with Steve Anderson, New/Mode's founder.

719.  Email Subject  10/17/17  2017-10-17 7:55pm "Revisting New Mode" [D592]  Josh Cohen

720.   Nathan Woodhull  8:06p [D592]

I recently spent a week on a remote Canadian island with Steve Anderson, new/mode's CEO. I really liked Steve even though he's not a software hacker himself; we actually talked for a long time about profit amp; purpose, and think that he at least on a personal level is very strongly aligned and this note from Andrew is convincing to me that the company is as well. Nathan




721.   Seth Bannon  8:06p [D592]

Agree with Nathan.

722.   Josh Cohen  2017-10-18 10:36am [D592]

OK, Ill run the motion.

723. The next day, a motion is passed to upgrade New/Mode.

724.  Email Subject  10/18/17  10:37a "MOTION to upgrade New/Mode to progressive technical member" [D594*]  Josh Cohen

725.   Josh Cohen  10:37a [D594]

MOTION to upgrade New/Mode to progressive technical member
Please vote by Friday 10/20 @ 5pm eastern
After further conversation with new mode, it looks like there wasn't total clarity on the classification question. They have given an updated answer, selecting progressive only:
From Andrew@newmode:
New/Mode fits with number 4. "Serves strictly only progressive candidates/candidates/causes"

IV.C.1.t MoveOn Joins

726. MoveOn positions itself for Abuse of Process

727. Email Subject 10/23/17 2017-10-23 2:28pm "MoveOn application to join OSDI" [D96*] Ann Lewis

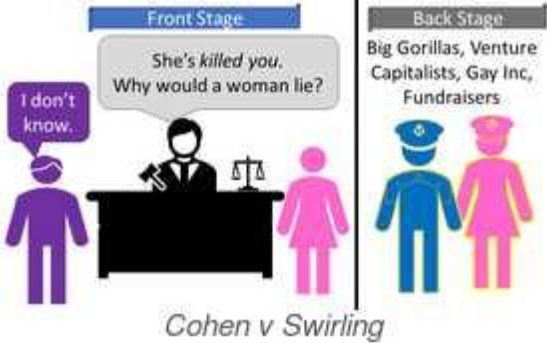
728. Ann Lewis 2:28p [D96]

Hi Josh! MoveOn would like to officially apply to join OSDI! Over the last year, the need for a clear standard for APIs for the domain models common to all our political tech systems has risen to our attention many times. We've seen tools that are built to OSDI specs integrate more seamlessly, and also have seen collaboration opportunities made prohibitively difficult by a lack of standards. And vendors have also told us they would be more likely to build to OSDI specs if we were an official part of OSDI. So for all these reasons, we'd like to join forces.



Attendance of Proxies 22% (77 of 337)

729. Defendants escalated to Abuse of Process by increasing their false accusations, using an ex-military soldier in a way that felt like a death threat, and sabotaging his economic viability until they provoked a complaint they could misrepresent with deception by abusing Litigation Privilege.



IV.C.1.u Gaining Control



Abuse of Process
























730. Plaintiff received email from counsel that Swirling had been served on 1/23/2018.

731. With Cohen v. Swirling served, Defendants abused Litigation Privilege to amplify their deception, further damaging and terrorizing Plaintiff.

732. Defendants abused Litigation Privilege with a tweetstorm, which misrepresents the 2 verbal policy debates in 2016 as a year and a half of harassment.

733. To date, Plaintiff's only interactions with Swirling are the 2 verbal policy arguments and the court supervised settlement conference with Judge Gorenstein.

IV.C.1.v Abuse of Litigation Privilege

734.  Tweets  02/12/18  2018-02-12 9:00am "quote robyn tweetstorm" [D1590]
735.   9:00a [D1590]
- Telling the truth about what's happening to you can feel empowering and freeing. Unfortunately, I'm writing this today to tell you about the flip side of that -- the backlash and harassment that you can face for just standing up for yourself.
736.   9:00a [D1590]
- This isn't a #metoo story, but it is a story about what I'm dealing with in response to my work on ending sexual and gender-based harassment in the progressive movement.
737.   9:00a [D1590]
- Josh Cohen is a software engineer, activist and chairman of **[OpenSupporter?]**. He is also someone who has harassed me for the past year and a half, and who is now suing me alleging defamation, tortious interference, libel, and intentional infliction of emotional distress
738.   9:00a [D1590]
- I am trying to do the hard and necessary work of combatting harassment within our movement, but Josh has interfered and disrupted on multiple occasions, then threatened retaliation if I spoke up. A few highlights:
He hijacked a working group that I organized, including offering a significant amount of money to my co-organizer if she would agree to elevate Josh's priorities and cut me out of my own work.
739.   9:00a [D1590]
- Josh suggested that he might "go postal" if his request to include more male voices, primarily his, was not accepted. After my co-organizers and I explained why his behavior was unacceptable and asked him to part ways with the group, he disregarded that request.
740.   9:00a [D1590]
- He then threatened to sue me for defamation if I told people about his behavior on the listserv.
741.   9:00a [D1590]
- He disrupted a conference session I led and then refused to leave when told to.
742.   9:00a [D1590]
- He registered a web domain with one of my co-organizer's names in the URL. He said as long as we didn't say anything further about his behavior, he wouldn't publish "the other side of the story" on that site.
The last
743.   9:00a [D1590]
- It is unacceptable to use legal action in an attempt to silence and intimidate someone who criticizes harassing behavior.
744. Defendants setup a fundraiser to collect money from the community to fund defense of a lawsuit Defendants provoked in order to gain control of property.
745.   9:00a [D1590]

Please chip in to less the financial impact of this lawsuit.
All funds received through this page will go to Robyn's legal defense.

746. At the same time Defendants filed a motion to dismiss, which was unsuccessful.

747.  Docket  02/12/18  8:28a "Def Motion to Dismiss" [D71]

748.   8:28a [D71]

[Defendant] made unidentified statements to organizers for another conference (Netroots Nation, held in August 2017 in Atlanta, Georgia), which resulted in him being asked not to attend three sessions at the conference. Compl. 40-48.

749.   2016-11-19 5:28pm [D71]

Compl. PP 29, 33-34. Plaintiff alleges that Defendant spoke to RootsCamp organizers about the incident, who subsequently ejected him from the conference, Compl. PP 37-38,

750.   2017-08-11 12:28pm [D71]

[Defendant] made unidentified statements to organizers for another conference (Netroots Nation, held in August 2017 in Atlanta, Georgia), which resulted in him being asked not to attend three sessions at the conference. Compl. 40-48.

751.   2018-02-12 9:28am [D71]

This firm represents Defendant Robyn Swirling in the above-referenced action. We write in accordance with Your Honor's Individual Rules of Practice 1(F) and 2(B) to request a premotion conference before making a motion to dismiss the Complaint.





752.   9:28a [D71]

Compl. PP 29, 33-34. "Plaintiff alleges that Defendant spoke to RootsCamp organizers about the incident, who subsequently ejected him from the conference", Compl. PP 37-38,

753. **Extortion Damage** The tweet storm follow-through on the the original extortion threat on the WOV google group to use deception, willfully misrepresenting the facts.

754. abused the AFL-CIO's monopsony power to coerce other participants to either vote Plaintiff out or help destory the project by leaving or face retaliation for "not supporting women".

755. Defendant Swirling blocked Plaintiff's Twitter account so he could not reply, in front of the same audience, with "I am gay, our only interactions are 2 verbal policy arguments in 2016". This would have greatly reduced the unjust harm to Plaintiff resulting from Abuse of Litigation Privilege.

756.  Email Subject  02/12/18  1:24p "Please remove me from <http://opensupporter.org/leadership/>" [D5*]  Chuck Hagenbuch





757.   Chuck Hagenbuch  1:24p [D5]

Please remove me from the Governance committee. I do not want to be listed as emeritus in any way either. In order of importance:
I do not want to support or be affiliated with an organization run by or attached to Josh Cohen's name or his harassment.
I have never been deeply involved in OSDI.

758.   Adriel Hampton  7:30a [D5]

There is an organized campaign to get OSDI affiliates to repudiate you - a former colleague contacted me asking me to call for your ouster as chair.

759. Plaintiff followed up with Adriel Hampton via phone, asking him to elaborate on the *organized campaign*. Plaintiff memorialized Adriel's description in email and asked him to confirm it, which he did.





760.  Email Subject  10/19/18  2018-10-19 10:00am "could you document" [D4]  Josh Cohen

761.   Josh Cohen  10:00a [D4]

could you commit to email a description of the bullying behavior you experienced? Here's what I recall, could you edit/clarify/confirm?
A female friend X of Robyn's contacted this OSDI member by phone. X told the member that they needed to either kick Josh out of OSDI or resign from OSDI themselves. X also said that if this member didn't go along, "it would not be forgotten", which was received by the member to be a threat of retaliation.
When this member told X that Josh's actions were to confront discriminatory behavior, and that he is also a victim of sexual misconduct seeking to avoid retaliation, X replied that they didn't care.




762.   Adriel Hampton  11:37a [D4]

That's accurate, except it was Facebook Messenger, not phone.

763.  Email Subject  02/12/18  2018-02-12 9:30pm "Invoice from Netroots Nation" [D983]  Netroots Nation

764.   Eric Thut, Netroots Nation  9:30p [D983]





Your invoice is attached. Please remit payment at your earliest convenience.
Netroots Invoice Balance Due \$0.00

765.   E. Thut  2018-02-13 1:50pm [D983]

Please ignore this invoice that was sent out. We had a ghost in the machine...

766. To Plaintiff, this appears to be gloating over the destruction of Plaintiff's economic viability.

767. At 10:42pm Brady Kriss/RagTag, who had introduced Plaintiff to Dimitri Mehlhorn speaks up in support. Kriss would later become an OSDI officer, download OSDI's membership database, attempt to add sublicensing clauses to OSDI's IP licenses, and attempt to consolidate power and control over OSDI to RagTag.

768.  Email Subject  02/12/18  2018-02-12 10:42pm "An Important update" [D1048]  Joshco

769.   Brady Kriss  8:01p [D1048]

I'm so sorry to hear this. Let me know if I can help.

770.   joshco  11:29p [D1048]

Thank you so much for your message. I don't have a specific ask at this time, but I will likely follow-up with you and other supportive members. Thanks

771.   Seth Bannon  2018-02-13 1:57am [D1048]

Sorry to hear you're going through that. Must be stressful. Let me know if there's anything I can do to help.

772.   Nathan Woodhull  2018-02-14 12:31pm [D1048]

Josh, It seems, as an outsider, wholly unaware of the particulars, that my advice would be to try and find a way through mediation or human connection to resolve this issue whatever it might be outside of the courts. It seems like that would be the best option for you, Robyn, the issues you cared about raising, and OSDI. I know you both to be very passionate people who care a great deal about many of the same things -- but to me -- again not being aware of any of the exact particulars -- escalating to a lawsuit versus all of the other mechanisms available for dispute resolution among people feels like a distraction from all of the useful things you could both be doing in the world. I get that whatever happened must have felt incredibly hurtful and personally damaging to take the steps you have but surely there are more constructive ways to resolve things? I know we're not close but hope you take this as intended, as heartfelt advice from an acquaintance who cares about you and OSDI, etc

773.   Josh Cohen  1:15p [D1048]

Does it strike you an accident that someone of her caliber that in her comprehensive attacks she completely airbrushed out my identity as a gay male and antidiscrimination activist? The attacks she has posted on Twitter are merely attempt #4 to provoke a mob firing of josh. The first one was November 2016. I have made concessions tried to have a dialog with her, or do the same via an an intermediary.

774.   joshco  1:40p [D1048]

She's also hidden the context of how she and I came to cross paths, which is my own desire to work on the sexual misconduct problem from the same sex gay perspective. All voices have a right to be

775.   N. Woodhull  1:41p [D1048]

Of course she's not being fair, you're suing her. At this point you're never going to get the outcomes you want pursuing this strategy is all I'm saying even if you feel boxed in and





776.   Schuyler Duveen  2018-02-25 12:15am [D1048]



I don't know what this is meant to demonstrate. It certainly doesn't sound like Nathan is somehow "just on Robyn's side." I read this as him saying something similar to me. That:

777.   J. Cohen  12:44a [D1048]

I don't know what the specific alternative path would be. Do you? Like I said when we spoke, filing the lawsuit was a last resort because I couldn't think of a safe alternative. I tried to mend

778. **Disparate Impact** On February 13th, 2018, Action Network replaced its representative Jason Rosenbaum with a woman, Martha Grant.

779.  Email Subject  02/13/18  2018-02-13 12:40pm "[osdi-gov] NOTICE: Action Network OSDI representation change" [D255]  Martha

780.   12:40p [D255]

2018_02_13_osdi_can_new_martha

781.  Email Subject  02/20/18  2018-02-20 9:30am "[osdi-gov] Resigning from OSDI"

[D1436] @ List governance,  Martha Grant

782. [View on osdi-dev](#)

783.   Martha Grant  9:30a [D1436]

Action Network will no longer be participating in OSDI, but we commit to maintaining interoperability with the tools of the progressive movement and doing what we can to strengthen that commitment throughout the movement. Please remove all references to us from the website and other materials, and remove me from all lists. Martha

784.   Jeff Mann  12:24p [D1436]

Please remove AFL-CIO as well.

785.   Beth Becker  12:28p [D1436]

Me as well please

786.   Walter Ludwig  12:40p [D1436]

Ditto Indigo

787.   Dave Leichtman via OSDI Governance  1:32p [D1436]





Microsoft would also like to be removed from the Industry Tech group.

788.   Joe Murray  2:27p [D1436]

I don't have any sense of what is prompting others to resign apart from the messages posted today. But I've only attended a few meetings and don't feel like I am participating at a level that makes sense to remain a member. I wish everyone well. But please accept my resignation.
All the best.
Joe Murray, PhD President, JMA Consulting
skype JosephPMurray twitter JoeMurray

789.   Sonya  6:50p [D1436]

Apologies for the apparent radio silence, bad week to be on vacation. For those that resigned on this thread, or others that are concerned or confused, please reach out to me if you would like to talk about what is needed to maintain your commitment to the work. My current plan is to collect this input from the coalition of the willing (anonymously/confidentially) and use it to guide a collective discussion a path forward that doesn't jeopardize organizations or this important work. Open to hearing everyone's thoughts so our next steps can be productive in making it through this period.
In solidarity, Sonya






790.  Email Subject  02/19/18  2018-02-19 9:50am "[osdi-gov] Please remove us from OSDI" [D562] @ List governance,  Nathan Woodhull

791. [View on osdi-dev](#)

792.   Nathan Woodhull  9:50a [D562]

I would like to resign my Governance role as part of OSDI and all other official participation by myself and ControlShift.
Please remove all references to ControlShift and myself from the OSDI website, mailing lists and materials.
We'll still follow along with the technical docs / developments via Github and wish the broad community of people working towards tech interop inside and out of OSDI well.

IV.C.2 Defendants Gain Control

793.  Email Subject  02/20/18  2018-02-20 2:50pm "Recusal of the chair" [D309]  List governance,  Josh Cohen

794. [View on osdi-dev](#)





795.   Josh Cohen  2:50p [D309]

Our organization operates by parliamentary procedure in the form of Roberts Rules of Order... Therefore, effective immediately, I'm exercising the right of the Chair to delegate that authority to the Sonya Reynolds, Vice Chair as Chair Pro Tem.

IV.C.3 To Operate

796. Once Plaintiff had recused himself, their proxy Sonya Reynolds became Acting Chair.

797. Defendant MoveOn then attempted to defraud Plaintiff out of his retirement savings.

798.  Github  02/21/18  2018-02-21 12:02pm "No open source license Issue #311 opensupporter/osdi-docs, No open source license Issue #311 opensupporter/osdi-docs GitHub" [D1972]  GitHub

799.   Schuyler Duveen  12:02p [D1972]

The current specification isn't licensed in any way. It should be licensed in some open-documentation license.

800.   S. Duveen  2018-02-22 8:29am [D1972]

Right, but that's just related to patents. The osdi spec itself has no copyright terms. IANAL, but even if something in there releases copyright/shares distribution/modification rights of the spec, it should be clearer. Something like
www.gnu.org/licenses/fdl-1.3.en.html
Or
creativecommons.org/licenses/by-sa/4.0/





801.   Josh  11:32a [D1972]

lets discuss at today's meeting

802.   Josh  2018-03-15 1:09pm [D1972]

Here's a proposal based on the W3C copyright license. It allows republishing (like forking our repo for proposed changes), but prohibits publishing as a technical specification, or the representing the democratic consensus of OSDI

803. On the "Important Update" thead, on February 12, 2018, Skyler/MoveOn communicated property demands portrayed as empowering women.

804.  Email Subject  02/12/18  2018-02-12 10:42pm "An Important update" [D1048]  Joshco

805.   Schuyler Duveen  2018-02-25 1:57pm [D1048]

I understand how you got here but at this point I think you are in a sunk-cost fallacy negative feedback loop. I think at this point, the alternative path would be something like the steps below.
Withdraw your lawsuit







Write a "confessional" blog post about why you are dropping the lawsuit
 It should not be defensive. At most, it can have a one-sentence "I was scared for my career and my community, but that is no excuse", our community likes confessions, even if we say they're not enough or pick them all apart
 Say you were wrong -- if you are looking for inspiration (I'm not saying the situations are similar, I'm giving you examples of my favorite "I was wrong" [Balloon Juice about Iraq War], [Louis CK]
 Run it by your PR firm or whatever since you have one.
 Have your lawyer review it, but make sure whatever the final product is, it's still truly apologetic and says you were wrong to file the lawsuit.
 Say you will take "Sensitivity Training" or whatever, and follow-through and do that
 Say you understand that in the current political moment and probably forever women need safe spaces too. Whatever your intentions were, you undermined their ability to have and manage those spaces.
 Run it by a woman, ideally someone like Sonya Reynolds: in the community and articulate on "mansplaininess"
 Stay recused from the OSDI chair position and make sure you are not a controlling entity of that body in any way -- participate as an implementing member

806.   Josh Cohen  4:30p [D1048]

I really do appreciate your efforts here, and there is a lot of merit to what you are saying. This isn't about sunk cost. it may be that you're just not going to be able to see things from my

807. **Extortion Damage** Skyler's attempt to trick Plaintiff into making a false confession to the Abuse of Litigation Privilege on Twitter is an attempt to fatally damage Plaintiff's economic viability.

808. **Extortion property demand** Skyler's suggestion that Plaintiff stay "recused" is an attempt to gain control of property

809.  Audio  05/30/18  2018-05-30 11:11pm "Telephone Call Jason Rosenbaum, Josh Cohen" [T23]  My Recording;  Jason;  Josh

810.   Josh  +11:00 [T23]

To the extent I am guilty of anything it is unruly and disobedient behavior on a group in September 2016, and mostly silent protest for about a minute in a conference session (November 2016) I just two things completely within the norms of the community.

811.   Jason  +11:00 [T23]

I agree... It's not about the merits.

812.   Josh  +11:00 [T23]

Harassing her over a period of time, No.

813.   Jason  +11:00 [T23]

























Again, it's not about the merits. I agree... I agree... It's not about the merits.

814.   Josh  +11:00 [T23]

Yeah, it is about the merits

815.   Jason  +14:40 [T23]

If you you are a leader of an organization. Your duty to the organization is to put the organization first. And if you can no longer put the organization first in good conscience and leaders of organizations resign, that's what they do.

816.  Jason  +17:06 [T23]
I guess the last thing I would say it is just, appeal to you, I don't think you did right by the organization. I think you can still do right by the organization now, which is to step back. I don't think that's forever...
817.  Multiple  +17:06 [T23]
I would hope that at this point when you've seen what happened to the organization you clearly care about, you would put it first and take that step back.
818.  Josh  +26:30 [T23]
The community left me to my own devices. The legal system is the way we resolve problems, and I think I used that responsibly.
819.  Jason  +26:30 [T23]
The merits hardly matter here.
820.  Josh  +26:30 [T23]
Yes, the merits do matter!
821.  Jason  +26:30 [T23]
you are no longer able to be a leader of this progressive movement organization.
822.  Josh  +26:30 [T23]
Membership will need to decide. If they want to remove me, they can certainly do that
823.  Jason  +25:59 [T23]
We're not punishing you. We're trying to remove you from your position because you are no longer able to lead the organization...
824.  Josh  +31:00 [T23]
Brian claimed that Action Network is also speaking on behalf of the DNC, MoveOn, maybe some others.
825.  Jason  +31:00 [T23]
A few organizations have called him to express their positions, so he's relaying that information. That's true. Yeah. We did not call them.
826.  Jason  +36:33 [T23]
MoveOn has adopted. I've seen their internal tools, most of their new stuff is using OSDI. ActBlue has adopted, though they don't engage in the committee.
827.  Jason  +41:51 [T23]
Going forward, you have a reputation in the community and you are unable to do the work of chairman and you know we don't have confidence in your judgment, that's our position. That's what we laid out on on the other week. And that's what we'll lay out in whatever process the committee comes up with.
828. Plaintiff refused to be coerced to resign, and insisted that if Defendants wanted to remove him, they could make a motion and secure a majority vote, which was completely within their power.
829. The next day, Plaintiff received email from conference organizers for Personal Democracy Forum 2018, revoking Plaintiff's registration.

830.  Email Subject  05/31/18  2018-05-31 2:25pm "PdF refund" [D145*]  Pdf

831.   Andrew Rasiej  2:25p [D145]

Dear Mr.Cohen,

We are in receipt of your registration for the PDF Conference on June 7-8, 2018.





We are unable to extend you an invitation for this event and we will be promptly re-funding your full registration fee/ticket purchase.

Andrew Rasiej

Personal Democracy Forum

832. Plaintiff replied sending the agreement negotiated by Judge Gorenstein, however, they didn't change their position. Plaintiff would later learn from PDF consultant Sherry Hakimi, that the reason they didn't change their position was because they had been told that Judge Gorenstein issued a *restraining order* against Plaintiff.

833. Had PDF asked for documentation on the order, which didn't exist, the fraud would have been exposed. Plaintiff contacted Andrew Rasiej via email to ask what, if any, documentation was asked for or provided.

834.  Email Subject  05/21/19  2019-05-21 3:20pm "past conflict and recommendations" [D1968*]  Josh Cohen

835.   Josh Cohen  3:20p [D1968]

Hi Andrew,







One point of clarification I'd like to ask pertains to citing the existence of a "restraining order" as a justification of why I was excluded. When Robyn communicated that, did she provide any documentation of this? Did PDF ask for any documentation?





836.   Andrew Rasiej  2019-05-29 1:33pm [D1968]

As for your question, I can not respond without the advice of our counsel.

837. Defendants escalated their deception, misrepresenting the lawsuit they provoked, the court supervised settlement conference, and then falsely portraying Plaintiff as violent and dangerous, until they succeeded in excluding Plaintiff.

838. Defendants were fabricating an alternate "origin story" for their ecosystem success. This took the form of conference sessions which evolved into "Tech for progressives, not billionaires". Action Squared, MoveOn and others portrayed themselves as fighting against profit, greed and the VC mindset on the front stage. On the back stage, they conspired with the VC's they were criticizing to misappropriate the OSDI IP and split it amongst themselves.




839.  Event  06/07/18  2018-06-07 4:30pm "Reverse Engineering the Tech Platforms to Win Campaigns for Change - Personal Democracy Forum 2018" [D494]  Personal Democracy Forum 2018,  ;  Erica Portnoy, Annie Sartour, Malous Kossarian, Rich Skrenta, And Ann Lewis (Moderator)


840.  Conference Session  06/07/18  4:30p "Product Demos and a Reverse Ragtag Pitch Personal Democracy Forum 2018" [D1921] 

841.   4:30p [D1921]

Product Demos and a Reverse Ragtag Pitch Personal Democracy Forum 2018





842. On July 25th, the OSDI Diversity committee met with a goal of resolving the conflict. Despite Action Network's statement that they would attend, they did not. Rather than make a democratic motion to remove Plaintiff, Defendants' proxies attempted to coerce Plaintiff to resign, which Plaintiff refused to do.

843.  Meeting Minutes  07/25/18  2018-07-25 1:30pm "Minutes: OSDI Diversity & Inclusion Committee Meeting" [D206]

844.  Sonya Reynolds, "I asked no one to put forth motions. I wanted us to work through." ⁹

845.   Adriel Hampton  1:30p [D206]

(meeting chair) recap - last D&I, Action Network left, asked Josh to step down from leadership, Joe concurred, no formal motions.

846.  Email Subject  07/29/18  2018-07-29 11:36pm "NN18 - Important Information." [D949*]  Eric Thut

847.   Eric Thut, Netroots Nation  11:36p [D949]

Given new information we have received, we have reconsidered your attendance at Netroots Nation and are revoking your credential for the conference in New Orleans this week. We will be refunding your registration fees.


IV.C.3.a Proxies set end date for OSDI

848.  Document  08/01/18 "Adoption of New Governance Doc - Adding Term Lengths" [D490]

849.   Sonya Reynolds [D490]

Per our exec committee and membership discussions, this update to the governance document sets over terms to 1 year, starting January 31.
The proposal already passed, this is just adopting the gov doc that implements this.

850.  Document  05/24/18 "Term Lengths: One year or two years?" [D491]

851.  [D491]


Term Lengths: One year or two years?

852.  [D491]

Thanks to everyone who participated! Looks like we agreed on term length of 1 yr.
We will send around the updated governance documents

853. In parallel, Defendant's proxies, Ragtag, Colibri, and Broadstripes actively mislead Plaintiff pretending they were going to help restore the OSDI project to its former level of success in order to be elected to leadership positions.

854. Once Defendants gained control of the project, they paralyzed it. OSDI's email list growth and membership were frozen permanently.



⁹ [D206] Meeting Minutes Hampton, A., Cohen, J., Kriss, B., Reynolds, S., & Holahan, T. (2018, July 25). Minutes: Osdi Diversity & Inclusion Committee Meeting [Interview]. lucidmeetings.com. lucidmeetings [D206, pt sonya11] 






OSDI List Growth



OSDI Coalition 2017

855. The Internet Archive page from 2017 shows OSDI's coalition size.
856.  Web Page  06/10/17 "Open Supporter Data Interface Coalition" [D1965]

IV.C.3.b Proxies elected as leaders

857. Defendants portrayed themselves as helping to restore the project to its previous state of success in order to get elected to officer positions. They stated that their plan was to have the project back on track at the beginning of 2019.
858.  Document  08/15/18 "New Officers Elected" [D363]
859.  [D363]

marketing - Adriel Hampton
membership and customer coalition - Brady Kriss
logistics and liaisons - Pamela John
chair - Sonya Reynolds
Vice Chair - Tim Holahan
Chair Emeritus - Josh Cohen

860. Web Page 09/30/18 "Meet the OpenSupporter Executive Officers" [D1357]

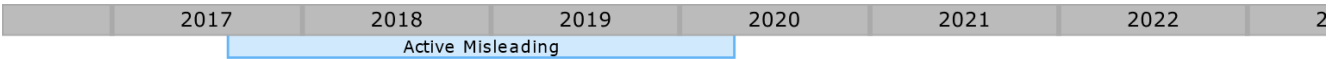
861. [D1357]

In advance of the upcoming national midterm elections, the Open Supporter Data Interface (OSDI) project

862. Once elected, Defendants changed IT systems for meetings, minutes and motions to Zoom, Google Docs, and XX respectively. This change allowed Defendants to control access to meeting attendee lists and delete documents would be relevant evidence in a claim.

863. Instead of helping the project, Defendants paralyzed it while fraudulently inducing more of Plaintiff's labor, gaining access to confidential information, and continuing to try to trick Plaintiff into abandoning his property rights.

864. In Parallel, when Plaintiff would refuse to vote they way Defendants wanted or resign as Defednants demanded, they would continue to fabricate accusations against him, damage his economic viability, further exclude him industry spaces.



865.






OSDI List Growth






OSDI Coalition 2017

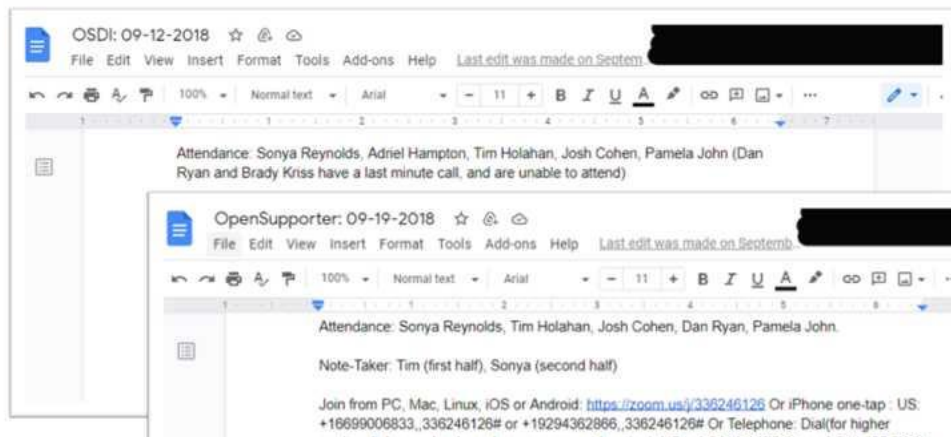
IV.C.3.c Misappropriation of IP

IV.C.3.c.1 Trademark Dilution

866.  Web Page  06/10/17 "Open Supporter Data Interface Coalition" [D1965]
867.  [D1965]

Open Supporter Data Interface Coalition
868. Without any discussion or motion, Defendants' proxies began referring to OSDI as OpenSupporter.
869.  Meeting Minutes  09/19/18  2018-09-19 12:30pm "OpenSupporter 09 19 2018" [D695]

9/19/2018 Without any motion or decision,
OpenSupporter is used instead of OSDI



Trademark Dilution [D695]

870. They also proposed the use of "StaleBot" which automatically closes issues in the GitHub repository. Since Defendants had squelched participation from others, the lack of activity, and automatic closing of issues created the false perception that the project was failing due to lack of interest.

871. Dan Ryan, RagTag ⌚ 12:30p [D695]

GitHub app for closing stale issues and PRs <https://probot.github.io/apps/stale/>

IV.C.3.c.2 Trade Secrets

872. Having been elected as VP of Membership. Brady asked for access to OSDI's email list and google groups. She then downloaded everything into a spreadsheet, which was far more than the position of VP Membership required.

873. Email Subject ⌚ 12/05/18 ⌚ 2018-12-05 8:22pm "[osdi-exec] OSDI Membership tracking as of Dec 5, 2018 - Invitation to comment" [D1286] @ List exec, OsdI Exec

874. [View on osdi-dev](#)

875. Brady Kriss ⌚ 8:22p [D1286]

brady has invited you to comment on the following spreadsheet:
OSDI Membership tracking as of Dec 5, 2018
Open in Sheets
Google Sheets: Create and edit spreadsheet

876. B. Kriss ⌚ 8:22p [D1286]

brady has invited you to comment on the following spreadsheet:
OSDI Membership tracking as of Dec 5, 2018
Open in Sheets
Google Sheets: Create and edit spreadsheet

877. Email Subject ⌚ 12/05/18 ⌚ 8:26p "[osdi-exec] Memberships Update" [D1287] @ List exec, OsdI Exec

878. [View on osdi-dev](#)

879.

  Brady Kriss, Ragtag 8:26p [D1287]

My next step on all of this is to begin to follow up with orgs and make sure that we know a few things about each of them
 Does the organization want to be a member of OSDI?
 In what capacity would they like to participate?
 Who is the point person to speak for the org wrt OSDI things?
 Who are the individuals who want to participate, and what committees and such should they be on.

880.

  B. Kriss 8:26p [D1287]

I've done some reconciling of different lists and I wanted to give y'all an update. If I'm missing something, or forgot someone, or did something boneheaded, please let me know. No need to cc the whole list probably. :)
 I've cross-referenced the main OSDI Action Network mailing list, the Exec list, the list of "Authors and Leadership" on Github, the logo wall on the opensupporter.org site, and the list of leadership on the website. Since some of the people on the email list used personal accounts, I also cross-referenced with their linked-in accounts to see where they worked. This means that there are likely a handful of organizations on the list that aren't really members and never were, but someone who works there now used to participate.
 Here are some stats
 111 individuals listed in various places or on email lists.
 82 organizations listed in various places or with people on email lists.

881.

  B. Kriss 8:26p [D1287]

Mega tracking spreadsheet is here docs.google.com/spreadsheets/d/1KQ9AqJIUo-gdKZ4sWK6oNRfXC_S8xSSuVWlaqAEQ9sM/edit?usp=sharing
 you should be able to access it with your email that's on this google group list.

882.


Despite multiple prospective members interested in joining, including PDI, the only addition was "DoGooder" who never showed up to a meeting.

883.

During the technical committee meeting on 12/05/2018, Defendants requested and were given SSH (administrator) access to OSDI's website, and began a process to develop a Frequently Asked Questions (FAQ) document. This was an exercise where Defendants exploited Plaintiff's experience, asking questions and documenting the answers, but not making use of the FAQ for its intended purpose.

IV.C.3.c.3 Gaining access to OSDI webserver

884.


 Meeting Minutes 12/05/18 12:30p "OpenSupporter Tech Notes" [D710]

885.

 12:31p [D710]

https add - Josh sent Tim ssh access, Tim will work on next step

886.

 12:35p [D710]

Let's add an FAQ section!

887.

12/12/2018 Technical Committee meeting. Worked continued on the FAQ. Defendants raised the need for a sandbox for testing. Plaintiff spent labor and time developing a sandbox. Defendants also mentioned upcoming political tech events.

888.

 Meeting Minutes 12/12/18 2018-12-12 "OpenSupporter Tech" [D661]

889.   Sonya Reynolds @ 12:00a [D661]

Conferences/Events


2018 Election Tech Debrief, Chicago Jan 17 & 18, Possible OSDI session? Let's have it be OSDI/Ragtag joint happy hour? Dan to run 16th pre-game by Ragtag folks, invite other OSDI members?

890.   S. Reynolds @ 12:02a [D661]

Developers need a way to test out APIs - OSDI sandbox put together process of how a developer would request such API access, but not make it public. Each vendor could give us the url of their dev info page?

IV.C.3.c.4 Fraudulently changing process

891. During the Executive Committee on the same day, Defendants scheduled a review and update of OSDI's governance policies.

892.  Meeting Minutes @ 12/12/18 @ 12:00a "OpenSupporter Exec" [D704]

893.   Sonya Reynolds @ 12:03a [D704]

Governance Documents Review, Current doc to review, Questions that remain, Proposed changes

894.   S. Reynolds @ 12:01a [D704]

Orgs we need to follow up with about how to join:

1. Relay - needs a "quick pitch"
2. Reach - should send them a "quick pitch"
3. The Movement Cooperative - Brady is setting up a call
4. RiseUp - Have implemented osdi spec, didn't realize it was a thing they could join



895.   S. Reynolds @ 12:01a [D704]

RiseUp - Have implemented osdi spec, didn't realize it was a thing they could join

IV.C.3.c.5 Wire fraud to misrepresent copyright authorship

896. 12/18/2018 - Dan Ryan/RagTag opened a GitHub Pull Request #324 titled "Adding Gemfile". A Gemfile is a configuration file for the build system, rather than authorship contributions to the specification.

897. The pull request buried commits included adding a new resource type, but was not fully specified. Additional commits make changes to that resource and "revert commits" to pad Dan Ryan's contribution metrics. The effect of this made Dan Ryan appear to be a top contributor to the project.

898.  Github @ 12/18/18 @ 2018-12-18 11:45am "Adding a Gemfile by dryan Pull Request #324 opensupporter/osdi-docs" [D679]  GitHub

899.   Dan Ryan, Ragtag @ 11:43a [D679]

Adding a Gemfile that tracks to GitHub's pages gem so that folks can preview their work locally. Put Gemfile.lock into gitignore so any downstream dependencies won't trigger vulnerability alerts on GitHub

900.   Dan Ryan @ 11:44a [D679]

Commits on Dec 18, 2018 11:44am

Adding a Gemfile that tracks to GitHub's pages gem so that folks can ... dryan committed on Dec 18, 2018

Merge pull request #1 from RagtagOpen/dryan-add-gemfile dryan committed on Dec 18, 2018
 Merge pull request #2 from opensupporter/gh-pages dryan committed on Dec 18, 2018
 Update _config.yml dryan committed on Dec 18, 2018

901.   github  11:53a [D679]

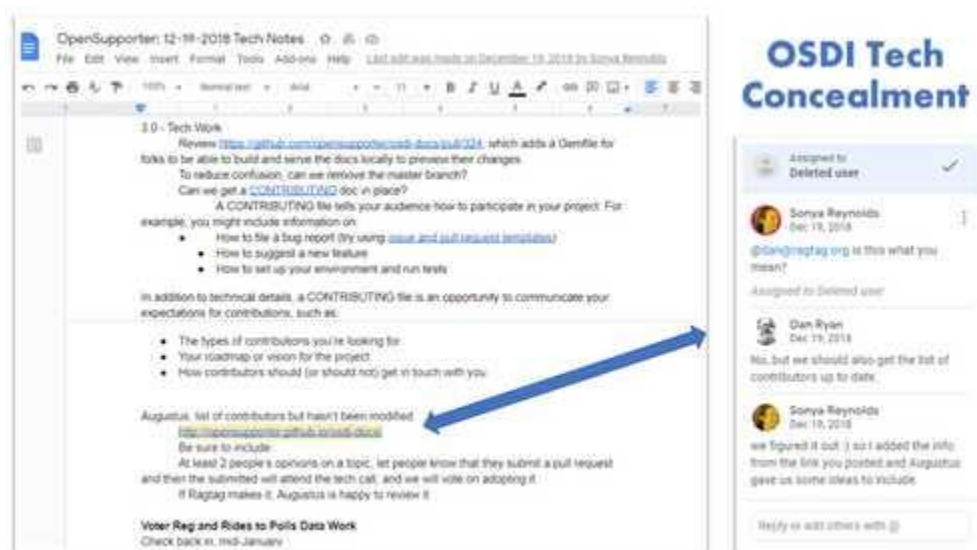
Pull request #324 to add Gemfile, for local builds, from Dan Ryan, RagTag.
 Includes 11 commits from multiple authors, backdated but containing no substantive contributions. This will create a false trail of commits, making them look like contributors.

902.   Sonya Reynolds  2019-01-23 12:46pm [D679]

sonyabea commented on Jan 23, 2019. Motion passed 1/23/2019 12:46
 sonyabea merged commit 19d69d8 into opensupporter:gh-pages on Jan 23, 2019 12:46pm

903. The effect of the above Pull Request makes Dan Ryan/RagTag appear to be the 5th biggest contributor to the specification.




904. Defendants proxy, RagTag, attempted to modify the Authors list.



2893_GfraudPdeleted_user

IV.C.3.c.6 Attempt to delete underlying work

905. 12/19/2018 Technical Committee meeting.

906.  Meeting Minutes  12/19/18  2018-12-19 12:30pm "OpenSupporter 12 19 2018 Tech Notes" [D658]

907. Dan Ryan/RagTag proposed removing the "master" branch. Doing so would delete the underlying work, leaving Defendants fraudulent commits. This would further misrepresent the authorship as Defendants.

908.  Dan Ryan, RagTag  12:30p [D658]

"To reduce confusion, can we remove the master branch?" (Note: This would delete the history of original contributors and LGBT origin from WA Gay Marriage campaign)





909. Continued review of the Gemfile Pull Request.

910.   Dan Ryan, RagTag Head of Tech  12:30p [D658]

Review pull/324, which adds a Gemfile for folks to be able to build and serve the docs locally to preview their changes

IV.C.3.c.7 Fraudulent inducement

911. 01/09/2019

912.  Email Subject  01/08/19  2019-01-08 5:00pm "[osdi] OpenSupporter: 1/9/2019" [D1215*]  Sonya Reynolds

913.   Sonya Reynolds  5:00p [D1215]

1.0 - Website Things
opensupporter.org - work on FAQs
Tims first draft
2.0 - Upcoming Events and Meetings Schedule
Next week call cancelled (1/16/2018) unless folks want to meet without Sonya
3.0 - Tech Work
Gemfile Review
Developers need a way to test out APIs - OpenSupporter Sandbox

914.  Meeting Minutes  01/15/19  2019-01-15 2:27pm "OpenSupporter Exec Agenda and Notes January 15 2019 2 58 PM" [D1249]

915.   Sonya Reynolds  2:38p [D1249]

Have a lawyer go over the license section, including sublicense

916. Defendants' proposals included removing all officer positions except what they occupied. Plaintiff objected to this and Defendants agreed to remove these changes, however in the draft that was ultimately approved they did not.

917.   S. Reynolds  2:42p [D1249]

Create final gov doc, put vote on Loomio, Put back in descriptions of officer roles,
Let folks know these are largely aesthetic / non-consequential / simplifying / clarifying
/ consistification -- (p. 1)



















918. During the last few minutes of the meeting (2:52pm in a meeting that ended at 3pm), Sonya Reynolds/Colibri made a proposal which would consolidate control over the OSDI IP.

919.   S. Reynolds  2:52p [D1249]





Talk officer election stuff right quick
Proposal - Sonya as Chair, Brady for Vice Chair, Tim as at-large?

920. Sonya Reynolds had already announced her departure, which was a job with The Movement Cooperative. This would leave Brady Kriss/RagTag as chair and no other officers with defined responsibility. Given that RagTag only joined in 2017, this would consolidate control in the hands of people who arrived after the IP had been built and had value.

921. Plaintiff would state his objections via email later on January 25th.

922. **Active Misleading** On January 16th, Sonya Reynolds/Colibri sent email to the group
923.  Email Subject  01/16/19  2019-01-16 1:49pm "[osdi-gov] OpenSupporter Team" [D657*]  Sonya
924.   Sonya  1:49p [D657]
- Hey OpenSupporter Community -
2019 is going to be a big year and brings a lot of opportunity for wider adoption of the shared spec!
Were excited to do this work and are looking for folks to join the exec team. The team ensures that OpenSupporter runs smoothly, including membership, onboarding, partnerships, PR, etc. We have a virtual call every other Wednesday at 2:30p ET so exec members would be expected to attend those meetings as often as is possible.
If this is something you might be interested in, let us know. Wed love to have your input,
Sonya, Brady & Tim
925. The only further participation in technical discussions was adding draft of a new resource specific a RagTag prjct for GOTV. The submitted content was draft and not finished. However, this increased Dan Ryan's contribution metrics.
926.  Document  01/23/19 "GOTV Transportation by dryan Pull Request 327 opensupporter osdi docs" [D680]
927.  [D680]
- GOTV Transportation by dryan Pull Request 327 opensupporter osdi docs
928.  Document  01/23/19 "RagTag Governance Changes to consolidate control over IP" [D497]
929.   Brady Kriss, RagTag [D497]
- Wondering if we should have a set number of at-large seats? assuming there would be times when they weren't filled
930.  [D497]
- Josh Cohen: re questions on the call: the origin of the license comes from <http://www.jointdevelopment.org/> with help tailoring it from Microsoft Legal
Brady Kriss (RagTag): needs to be sublicensable
Josh Cohen: what kind of sub-licensing did you have in mind?
Question was never answered
931.  [D497]
- Josh Cohen: re questions on the call: the origin of the license comes from <http://www.jointdevelopment.org/> with help tailoring it from Microsoft Legal
Brady Kriss (RagTag): needs to be sublicensable
Josh Cohen: what kind of sub-licensing did you have in mind?
Question was never answered
932.   B. Kriss [D497]
- needs to be sublicensable
933. Plaintiff stated his objections to the consolidation of power in email on January 25th. In response, Sonya Reynolds/Colibri, Tim Holohan/Broadstripes, and Brady Kriss/RagTag

stated their intent to resign thier positions, but not immediately, instead waiting until the end of their terms, on 1/31/2019.

934.  Email Subject  01/25/19  2019-01-25 4:25pm "RagTag's Resigns from Governance" [D369]  Brady Kriss

935.   Josh Cohen  12:20p [D369]

Continuing the discussion from our last exec... Our top priority is membership growth. (I think we're in agreement on this) Second is preparing for the election.

936. Plaintiff had recruited potential members including PDI, who had originally expressed interest in March 2019, but no action was taken.

937.   Josh Cohen, OSDI  12:30p [D369]


Membership. We had a number of leads, yet we closed zero new memberships... Our last new member closure was in august, prior to the new term of the current officers. In this term, I brought in some leads, and so did others. At least one of those leads was a second bite at the apple, after we apparently dropped the ball the first time... I'm not really a huge fan of grandiose tracker spreadsheets, as they end up being more work to manage than whatever it is actually tracking.

938.   J. Cohen  12:35p [D369]

We had months to do outreach and develop new people into officers. Instead, we didn't have any any substantive discussion on it until January 9. in a time crunched block at the end of our exec meeting. Our outreach consisted of an email on january 16th.

939.   J. Cohen  12:40p [D369]

We consumed most of our time working on an FAQ, and a review of the governance document... they were not urgent, and as a result they starved our top priorities from action.

940.   J. Cohen  12:50p [D369]

My View on Next Steps If we are going to make any changes to the officers in the coming cycle, our first priority should be ensure we have a dedicated membership officer, that needs to be a woman...

941.   Brady Kriss, RagTag  4:25p [D369]

Hey y'all,
I believe that interoperability and standardized data practices are essential to the long-term health of the progressive movement.
I hoped that I would be able to contribute to this by participating in OSDI/OpenSupporter. Unfortunately, it's become clear that this is not the right place for me.
I'm resigning the position of VP of Membership and resigning my position on Governance, effective immediately.

942.   B. Kriss  4:27p [D369]

Ragtag will remain a member of OpenSupporter, and Dan Ryan (and others, from time to time) will participate in some of the tech calls, and we will continue to help work on the spec and build for the spec.
My membership tracker is here and has been shared with everyone on Exec for a while now. I hope it is not too grandiose to be useful

943.   Sonya Reynolds  2019-01-28 3:15pm [D369]

Hey team -

Similarly, after much reflection I have decided that I won't be staying on as chair after my term ends.

I have a family emergency that might prohibit me from running the call on Wednesday so would really appreciate if someone could step in and cover this week.

Best

Sonya

944.

  Tim Holahan, Broadstripes  4:31p [D369]

Hi, folks.

I'm happy to chair Wednesday's tech call.

I, too, am going to step away from the exec committee at the end of this term (i.e. in three days).

I'll continue to participate in the tech call to the extent possible.

Thanks,

Tim

945.

 Document  01/26/19 "Loomio Approved Governance v6 driven by RagTag" [D362]

946.

  Sonya Reynolds [D362]

Here are the changes (aside from things like "chairman" = "chair")

In section 3 related to Membership, we removed some language giving examples of questions for prospective members.

In section 8 regarding meeting schedules, the notice a chair must give to call an emergency meeting is changed from 24 hours to 2 business days (because respect.)

In section 10.2 regarding electronic voting, we now allow three business days to respond to e-voting motions, and allow the chair to extend that voting period in exigent circumstances.

We removed text specifying the to-do list for adding new members to OpenSupporter and the website.

In 11.3.2 Public Visibility of membership, we removed a the screenshot of the website.

In 5.2.1 regarding the Exec Committee, we added the role of "At-Large" committee member.







Prior to 1/2019

Changes 1/2019

Existing Position	Outcome
Chair	Retained
Vice Chair	Retained
VP of Marketing/PR	Abolished
VP of Membership	Abolished
VP of Outreach	Abolished
VP of Logistics	Abolished
VP of Education	Abolished
VP of Customer Coalition	Abolished
Founding Chair Emeritus	Retained
VP of Diversity and Inclusion	Unknown*
Non-officer at-large positions	Created

Abolished Positions

947. Plaintiff was unwilling to vote for the consolidation of power. In response Defendants Broadstripes, RagTag and Colibri resigned their positions and left the project.

948.  Audio  02/01/19  2019-02-01 "Telephone conversation between Tim Holahan, Broadstripes and Josh Cohen" [T166]  Tim;  Tim;  Josh


949.   Tim  +03:55 [T166]

I'm stepping down in a couple of days, then officially I'm off. And that's true of Sonya and Brady as well. Obviously brady's already off.

950.   Tim  +65:40 [T166]

and you are now in a parting of the ways with people more important than me, People less willing to talk to you about it than me. But Sonya and brady are out and I'm out. I'm out except for tech and Brian will show up for tech when it's appropriate. But we can't share the leadership of this group with you because of your (in)ability to share it.

951. In February 2019, Sonya Reynolds begins employment at The Movement Cooperative.



952.  Web Page  02/15/19 "Sonya Reynolds LinkedIn Profile" [D1997]

953.  [D1997]

Senior Data & Technology StrategistSenior Data & Technology Strategist
Feb 2019 - Aug 2021 * 2 yrs 7 mosFeb 2019 to Aug 2021 * 2 yrs 7 mos
Greater New York City AreaGreater New York City Area

Skills: Team Building * Project Management * Customer Satisfaction * Communication
 * Leadership Development * Customer Service * Project Coordination * Supervisory
 Skills * Time Management * Employee Training

954. Plaintiff then focused his attention on the MoveOn Spoke project, and the OSDI related work. He contributed code for an OSDI connector that allowed Spoke to interoperate with NGPVAN, Action Network, CiviCRM and any other platform that exposed an OSDI endpoint.

955.  Web Page  04/27/20 "OSDI action handler and server for import and people, questions, answers, messages by joshco * Pull Request #1166 * Move-OnOrg/Spoke" [D386]  GitHub

956.  Josh Cohen [D386]

This PR contains an OSDI action handler to submit canvass responses like Question Answers, Tags (aka in VAN terms Survey Question Responses, Activist Codes). The handler will automatically download the available questions/SQs and tags/ACs and show them in the interaction script editing form as actions.
 This can be used to submit data to EveryAction/VAN, Action Network, CiviCRM (in-progress) and other systems that support the OSDI Simple Organizing Profile. (opensupporter/osdi-docs#337)
 This also contains OSDI Server functionality that lets other OSDI clients read data from Spoke in OSDI format, as well as import contacts with batch mode.
 opensupporter/osdi-docs#335

957.  Skyler Duveen, MoveOn [D386]

This PR creates a fantastic external API that will help other programs interface with Spoke -- it's breadth is excellent, but also means we'll have to be very careful about the additional security surface it exposes.

958.  J. Cohen [D386]

Thanks for the kind remark. I've reviewed your feedback and agree. I've also discussed the issue with other OSDI stakeholders, and have a proposal for next steps.
 The current pull request includes some functionality for vision's sake. It also includes the bypass and public API switches which were meant to reduce friction for those who wanted to experience it for themselves using the demo server. I'll remove those, or refactor it as skyler suggested.
 The current PR also goes beyond the settled resources in OSDI based on my own improvisations of assignments and messages. I'll remove these resources and produce an updated, more constrained PR, incorporating Sky and others' feedback. This way we could have working code this cycle.
 In parallel, settling on the definition of what these new resources should be a democratic consensus among OSDI stakeholders, with leadership from those who build products that implement these features.
 Augustus Franklin [augfrank?] , from CallHub (which also implements similar features) has offered to serve as a convener of an OSDI breakout group on these resources. It would be great if someone from Spoke would participate as well as Hustle, Relay and any other implementers.

959.  Augustus Franklin, CallHub [D386]

1:51pm

augfrank commented on Jul 30, 2019

[joshco?] [schuyler1d?] Yes, I'd love to help. It would be good to setup a common way to represent messages and its related resources.

960.  Ilona Brand, MoveOn [D386]

[joshco?] [schuyler1d?] [augfrank?] What's the status on this work?

961.  J. Cohen [D386]

[ibrand?] This is almost complete. I've made most of the changes Skyler requested. I'll push a branch today

962.  S. Duveen [D386]

I haven't reviewed but the last time I reviewed this these were my blockers... I'd like to see at least some minimal testing -- maybe test of one or two endpoints -- that way if people create more tests they have the pattern they need to do so. But ++ to @joshco 's work -- this could open up some great ways of linking into Spoke from other systems.

963.  J. Cohen [D386]

I've updated the branch with 2 OSDI test cases.
get people with apitoken succeeds, and without fails
try to get people with osdi disabled and it fails

964.  Joe McLaughlin, Misc [D386]

hey [joshco?] [schuyler1d?] [ibrand?] and adding in [lperson?] - sorry I am just now jumping in on this again. Can y'all possibly collaborate and fast track getting this merged? It's great stuff, and I'd really love to use it for an effort that I'm working on - it's for an election happening this November.




965.  J. McLaughlin [D386]

So I deployed [joshco?] 's osdi_key branch tonight on to a production site and will test in the a.m., after finishing set up. Just a note that the OSDI_CONFIGURATION.md doc doesn't say anything about OSDI_MASTER_ENABLE env var, however I added it and set it to true which works, so now I see the OSDI API Access toggle which I'm leaving off for now. Also, the doc should be called something like HOW-TO_OSDI_CONFIGURATION to conform to the rest of the how-to docs naming convention in docs.

966.  J. Cohen [D386]

Improvements based on customer testing and feedback to make it easier to use and set up. Thanks to [joemcl?]
Added yarn osdi-info script to check config, view available information from remote OSDI Server
Added additional environment variables to option in logging of OSDI wire level traces UI improvements

967. On November 11th, 2019, Skyler Duveen/MoveOn updated Spoke's code of conduct, adding to the list of prohibited behavior, use of litigation or threats of litigation.

968.  Github  11/11/19  2019-11-11 3:28pm "Integrate Citizen Code of Conduct with more explicit expected/unacceptable behavior after community feedback" [D51]



969.  Skyler Duveen, MoveOn  3:28p [D51]

[No] Public or private harassment, including threats to pursue legal action including litigation

970.  S. Duveen  3:28p [D51]

Refrain from demeaning, discriminatory, or harassing behavior and speech, including threats to pursue legal action including litigation

971. On November 14th, 2019, Plaintiff published a blog post on the OSDI website announcing the Spoke OSDI connector which could interoperate with NGPVAN, Action Network, and CiviCRM

972.  Web Page  11/14/19 "Spoke / VAN / EveryAction / Action Network Integration,Spoke / VAN / EveryAction / Action Network Integration Open Supporter Data Interface" [D475]

973.  Josh Cohen [D475]

FROM OSDI Department of Customer Relations
TO Progressive Interoperability Special Agents
RE Spoke / VAN / EveryAction / Action Network Integration
UPDATE 11/2019 This worked with CiviCRM's OSDI endpoint as well.

974.  OSDI [D475]

Spoke / VAN / EveryAction / Action Network Integration,Spoke / VAN / EveryAction / Action Network Integration Open Supporter Data Interface







975. On December 12, 2019, Plaintiff attempted to comment on an issue in the Spoke repository, but found that MoveOn had blocked him from the repository.

976.  Github  12/10/19  2019-12-10 9:00pm "Blocked from Spoke repository" [D54]

977.  Github system  9:00p [D54]

"You can't perform that action at this time." Contributor access revoked on Spoke repository

978. A the following NYC Hacknight, Plaintiff asked Skyler Duveen why this was the case. Skyler indicated that Plaintiff had violated the code of conduct prohibiting the use of litigation.

979.  Audio  01/22/20  2020-01-22 6:30pm "kenyetta hacknight p1" [T86]  Kenyetta;  Josh;  Kenyetta







980.   Kenyetta  +00:03 [T86]

I just went to the studio to make sure you're on page. There have been some comments about things that happened outside of hack night. We wanna make sure that they don't cross over into hack night. We have a no harassment policy. We wanna make sure everyone feels safe. So happy to answer any questions.

981.   Kenyetta  +07:02 [T86]

I'm coming in as new January 22nd, 2020. My my general concern is the space that is progressive hack night. You're totally fine to continue coming. But also knowing that Skyler and Ilona now was spoke employees, they're also gonna be here. So I just wanna make sure that the three of you can coexist in a space. I want them to feel comfortable, to run a working group. I want you to be able to do the same. Like I

said, we have no harassment policy, So it would just be easier if, you didn't talk to them.

982.  Audio  04/15/20  2020-04-15 6:30pm "Discussion with Kenyetta re Skyler's complaints" [T201]  My Recording;  Kenyetta;  Josh

983.   Kenyetta  +00:02 [T201]

No, it was more what came from Skyler and other people said that you were kind of like bugging them about whatever you were trying to do.

984.   Josh  +01:14 [T201]



If you read the pull request, statements visible from them. Skyler is effusively praising the work I did on the OSDI connector. The next day Ilona asks, "what's the status of this?". (I performed the labor they requested, and provided information they requested, some of which would have otherwise been confidential.)

985.   Josh  +07:03 [T201]

Kenyetta: I mean, okay, like without reading the documentation, like I'm going off of what you said and like rumors and third party information about this. Like I don't know like,
well honestly I think that if I was in your shoes, I know this is self serving, but if I was in your shoes, I would say, look, I'm not getting in the middle of it if you want to come to smoke hack night if you want to come back and have your group here, you got to let you can't play this exclusionary game if you want. You know, and like if they insist that like you watch what happens and they want to talk about
Kenyetta: us as an organization to kick out spoke. That's essentially what you're saying. No, actually
not. Why am I saying? I'm not saying at all, I'm saying that if they want to come here, they're welcome to come and have to be exclusive
Kenyetta: according to,

986.   Josh  +07:03 [T201]

Kenyetta: I mean, okay, like without reading the documentation, like I'm going off of what you said and like rumors and third party information about this. Like I don't know like,
well honestly I think that if I was in your shoes, I know this is self serving, but if I was in your shoes, I would say, look, I'm not getting in the middle of it if you want to come to smoke hack night if you want to come back and have your group here, you got to let you can't play this exclusionary game if you want. You know, and like if they insist that like you watch what happens and they want to talk about
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Kenyetta: according to,

987.  Web Page  04/27/20 "OSDI action handler and server for import and people, questions, answers, messages by joshco * Pull Request #1166 * Move-OnOrg/Spoke" [D386]  GitHub




988.   Skyler Duveen, MoveOn [D386]

schuyler1d closed this on Apr 27, 2020.
Comment: contact-loaders sadly make this PR obsolete.

IV.C.4 Concealment

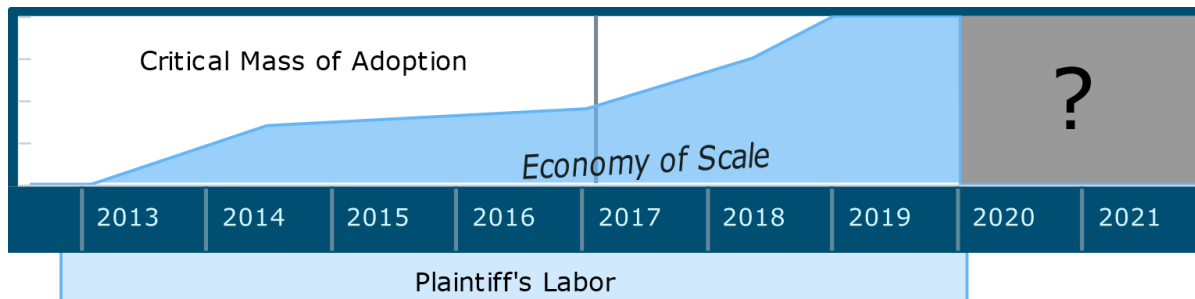
989. To prevent Plaintiff from attending conference Personal Democracy Forum 2018 (PDF), Defendants lied to the organizers, claiming that Judge Gorenstein issued a *restraining order* against Plaintiff. Defendants are falsely portraying Plaintiff as unstable, violent and dangerous to cover up a robbery.
990. The hatred incited by Defendant's ruse can be seen in the faces of Netroots Nation staff during refusals of service in 2018 and 2019.
991. <https://www.youtube.com/watch?v=tfzn6DO-iSs>
992. <https://www.youtube.com/watch?v=CUEospqON6Q>
993. Plaintiff attempted diligence to discover what happened to the essential IP and economy of scale. Despite being refused service at Netroots Nation 2019, Plaintiff tried to figure these out from the outside.
994. Defendants retaliated against plaintiff by terrorizing him on the sidewalk, when a male stranger accosted Plaintiff in front of an audience of attendees, repeating "Josh Cohen sexually harasses women" and similar false accusations.

IV.C.5 Break Contact

995. The coercion ended when Defendants broke contact at in Q1 2020. At the time, Plaintiff didn't understand what happened, or what Defendants goal was. The only thing Plaintiff understood was the use of Disparate Impact, but not what their goal was.
996. Plaintiff began the intake process to file a civil rights complaint against Netroots Nation 2019 with the Philadelphia Human Rights Commission.
997.  Document ⓘ 05/05/20 "PHL Civil Rights Complaint against Netroots Nation" [D468]
998.  [D468]
 PHL Civil Rights Complaint against Netroots Nation
999. **Abuse of Process** Plaintiff filed a civil rights complaint with the Philadelphia Civil Rights Commission. However, due to Defendants concealment he could not provide sufficient evidence, and Defendant (Netroots Nation) abused Litigation Privilege again, repeating false accusations to the commission.

IV.C.6 Where did it go?

1000. Plaintiff was diligent in his efforts to discover what happened to OSDI, but could not due to Defendants concealment



Cumulative Investment grows ecosystem, creating an economy of scale

1001. Email Subject 10/24/19 2019-10-24 1:41pm "help, ASKS" [D902*] Joshco

1002. Joshco 1:41p [D902]

What would be helpful is to be able to 1. meet with someone in lambda to review the evidence (which I have a lot of), relevant laws, and my current plan of action with respect to the discrimination. 2. A hope I have is to be able to make the volunteer management and sync tools, which have real customers, available free or cheap to LGBT organizations. Maybe getting hired by an org to do this, as a zero dollar acquisition.

1003. Josh Cohen 2:30p [D902]

This was shortly followed up by digital pokes from X and his ex-military pal, the latter feels like a gun being pointed at my head. I am REALLY afraid of them

1004. J. Cohen 2:41p [D902]

It's also a dangerous example of disparate treatment, where one protected class can engage in unchecked lethal predatory behavior against another.

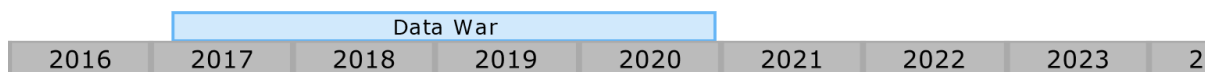
1005. Kevin Jennings 3:23p [D902]

I dont officially start until December 2. Let me follow up then.

1006. Joshco 3:29p [D902]

Can you break protocol and pass this along? I dont think I can wait that long. Ive begun drafting a complaint for violations of Philadelphias anti-discrimination law, and am not comfortable slipping a month+. There are also some interrelated actions where statute of limitations are tight.

IV.D Data War



Data War Timeline

1007. Defendants sidelined Plaintiff while a data war erupted after the 2016 election. The seeds of the struggle occurred during the 2016 election. These included the Data Breach in 4Q2015 where the DNC locked the Bernie Sanders campaign out of NGPVAN, depriving the campaign of essential resources for candidates running for

election, as well as the DNC's alleged favoritism of Hillary Clinton at Bernie Sanders expense, general anger at Trump's election, and the arrival of Billionaires Reid Hoffman, Lauren Powell Jobs, Eric Schmidt and the formation of VCs including Higher Ground Labs and Acronym.

1008. This led to a fierce power struggle over economies of scale.

IV.D.1 Application Ecosystems

1009. As the largest REST based API ecosystem, which was protect only by a gay male's property, contract and civil rights, it was an valuable but weakly defended economy of scale.

1010. While Defendants were actively misleading Plaintiff with false hope, they were pillaging its resources, using his retirement savings for their own benefit, passing off the work as their own to enrich themselves by securing venture capital, and investing the proceeds into their own enterprises.

1011. Defendants were also "locking out" PDI, preventing them from competing at the level of the market.

IV.D.2 Voter File Data Warehouses

1012. In late 2018, Reid Hoffman funded a new Voter File project with \$35 million which would be known as "Alloy". The DNC would describe it as an "Existential Threat", creating it's counter proposal "Democratic Data Exchange" aka DDX. The DNC went so far as to threaten to lock state parties out of NGPVAN if they supported Alloy instead of DDX.

1013. DDX would prevail with Howard Dean as Chair in early 2019, which was canonized at Netroots Nation 2019.

IV.D.3 Disinformation Networks

1014. In response to the disinformation tactics used by the Russian GRU, Dimitri Mehlhorn authored a report and proposal to replicate them. He later used Reid Hoffman's money to fund experiments, which originated at Netroots Nation 2017, starting with a fake "Dry Alabama" campaign to influence the 2017 special election in Alabama, which was run by Beth Becker.

1015. Those experiments grew into a coordinated network of nodes portraying themselves as local news sites, which operate in a coordinated manner to fabricate organic behavior and manipulate search results.














IV.D.4 Manufactured Origin Story

1016. Action Network, MoveOn and others ran a campaign at conferences like Netroots Nation, Personal Democracy Forum and through blog posts along the lines of "Tech for progressives not Billionaires". The economy of scale created by OSDI was attributed to this theme.

1017. While on the front stage, they portrayed themselves as in a struggle against VCs and Billionaires, they were colluding back stage to split the proceeds of their racketeering activity in OSDI.

IV.D.5 Data War Timeline

IV.D.5.a Early 2017 Higher Ground Labs Founded

1018.  Web Page  05/25/17 "How Silicon Valley is trying to topple Trump --- beginning with a special election in Montana" [D1599]  Vox
1019.  Tony Romm [D1599]
- And Higher Ground Labs is a new attempt by some of former President Barack Obama's digital aides to invest in cutting-edge campaign tech startups.
1020.  Betsy Hoover, HGL co-founder [D1599]
- The Democrats have invested in digital and technology and data for longer than Republicans have. So too, however, have Republicans, she said --- meaning Democrats have to step up our game in order to maintain the edge we have built and we're losing ground on.
1021.  News  07/03/17 "Mark Pincus and Reid Hoffman are launching a new group to rethink the Democratic Party" [D702]  Vox
1022.  Tony Romm [D702]
- Mark Pincus and Reid Hoffman want to hack the Democratic Party. The effort --- called, yes, WTF for short --- aims to be "a new movement and force within the Democratic Party, which can act like its own virtual party," said Pincus, its lead architect, during an interview. -- (p. 2)
1023.  T. Romm [D702]
- Pincus, the co-founder of Zynga, and Hoffman, the brains behind LinkedIn, want to force Democrats to rewire their philosophical core, from their agenda to the way they choose candidates in elections
1024.  T. Romm [D702]
- WTF is also eyeing more audacious efforts: Initially, Pincus had planned to solicit feedback at launch on recruiting a potential challenger to Democrats' leader in the House, California Rep. Nancy Pelosi, in a primary election.
1025.  T. Romm [D702]
- Amid their planning, Werbach and others sought to study the Democratic Party's primary political organ, the Democratic National Committee. Quickly, though, they found themselves disillusioned. The DNC still appeared to be in "complete disarray," Werbach told potential backers, as party insiders squabbled as to whether to continue in the mold of Clinton, or to tack sharply leeward to appease the unrelenting supporters of her fellow Democratic contender, Bernie Sanders.
1026.  T. Romm [D702]
- In the end, WTF could find itself on a collision course with long-established, wellfunded Democratic interests like the DNC, which attracts the lion's share of fundraising dollars every election cycle, and serves as the primary conduit for bolstering office seekers across the country.

1027.   T. Romm [D702]

And that's precisely the point. "I think part of the thing is to say, look, we're not about politics as usual," Hoffman said. "We have little patience for that on both sides. And so it may end up being some clash with the Democratic Party, but I think that's also part of what millennials and a swath of Americans want."

1028.   T. Romm [D702]

Whether the aftershock meaningfully reshapes what it means to be a Democrat, however, is the true existential question --- one that faces not only Pincus and Hoffman and WTF, but the entirety of the anti-Trump resistance still maturing in tech hotbeds like Silicon Valley

IV.D.5.b DNC Unity Reform Commission Founded

1029.  News  07/23/16 "Unity Reform Commission" [D1481]  Democrats

1030.   Mayor Wellington Webb and Michaelleen Crowell [D1481]

Resolution Establishing the Unity Reform Commission

IV.D.5.c Netroots Nation 2017 and HGL Cohort 1

1031. After Netroots Nation 2017, a meeting was held in Chicago by what would become Higher Ground Labs. Their initial cohort included Gerard Niemira, who founded GroundGame as a spin-out from Hillary for America.

1032.  News  08/02/17 "Announcing Higher Ground Labs \$1.5M initial investment in our inaugural cohort - Higher Ground Labs" [D1637]  Higher Ground Labs

1033.  [D1637]

Higher Ground Labs, the leading innovative incubator and accelerator for progressive political and campaign technology, has deployed nearly \$1.5 million to 10 groundbreaking companies that will begin supercharging progressive campaign technology.

1034.  [D1637]

VoterCircle is a powerful and easy to use friend-to-friend outreach platform that enables supporters to leverage their personal relationships to benefit a campaign or organization. With just a couple clicks, 100s of campaign supporters are be able to personally reach 1,000s of their friends from the comfort of their home on their own schedule. VoterCircle can be used at every stage of a campaign to increase name ID, grow an email list, recruit volunteers, identify grassroots donors as well as ID, persuade and GOTV voters.

1035.  [D1637]

GroundGame is an opinionated technology platform for campaigns and causes to organize their voters, volunteers, and donors. The core platform is a voter, volunteer, and donor CRM, armed with organizing tools (1-to-1 SMS and email, tools for door knocking and calls, etc) and an API that connects to other platforms. GroundGame empowers campaigns of any size, from the smallest to the largest.

1036.  [D1637]





BallotReady provides data and tools to power down-ballot civic engagement -- powered by the most comprehensive and complete dataset to every level of gov-

ernment. Using a powerful, customized voter turnout tools for campaigns, advocacy groups, and nonprofits to inform voters about their entire ballot and get out the vote, every election.

1037.  [D1637]

Mobilize America is built to help elect Democrats to state government. To achieve new levels of volunteer engagement, Mobilize America combines a robust two-sided marketplace to connect volunteers and campaigns, with a scaled digital grassroots organizing program. The model is being developed in Virginia's 2017 house elections, and will deploy for competitive states nationwide in 2018.

1038. On 7/12/2017, Betsy Hoover, a founder of Higher Ground Labs was interviewed on The Great Battlefield podcast.


1039.  Audio  07/12/17  2017-07-12 "Investing in Progressive Technology Entrepreneurs with Higher Ground Lab's Betsy Hoover" [T144] 

1040.   Betsy Hoover  +12:45 [T144]

we're in the middle of our first open application process for accelerator companies and fellows. The application for that closes June five. So if you air this before then I will great. Then folks should definitely apply. You can do it at higher ground labs dot com and we're in the process of interviewing, reviewing those applications and interviewing folks. Our first cohort will start this summer, but that will be the first and then we'll have another cohort in 2018. How did

IV.D.5.d HGL Cohort 2

1041. On 4/4/2018, Higher Ground Labs announced its second cohort of companies it was investing in. This included New/Mode.




1042.  Web Page  04/04/18 "Announcing Our Second Cohort - Higher Ground Labs" [D1638]  Higher Ground Labs

1043.   HGL Team [D1638]

New/Mode: New/Mode is putting the powerful tools used by the world's leading campaigns into more campaigners' pockets. Our engagement tools target the right decision-makers across communications channels and activate grassroots power to help you win your campaigns. It's how modern campaigns stand out: your supporters' stories, everywhere decision-makers look.

IV.D.5.e GRU Disinformation Experiments

1044. The first disinformation campaigns Plaintiff has discovered began after Netroots Nation 2017. However, they were not reported in the news until afterwards.

1045.  News  01/07/19 "Facebook Pages Used Russian Tactics To Make Democratic Push In Alabama Special Election, Facebook Pages Used Russian Tactics To Make Democratic Push In Alabama Special Election | HuffPost Latest News" [D1984]  HuffPost

1046.   Antonia Blumberg [D1984]

It's unclear who spearheaded the misinformation campaigns. Funding for at least one of the efforts traced back to Reid Hoffman, the billionaire co-founder of LinkedIn. Hoffman gave \$750,000 to American Engagement Technologies, a progressive tech start-up founded by former Obama administration official Mikey Dickerson, according to the Post.



1047.   A. Blumberg [D1984]

Hoffman's political adviser, Dmitri Mehlhorn, reportedly brokered the deal with AET. Mehlhorn runs a group called Investing in Us, a tech company that finances progressive political causes.

1048.   A. Blumberg [D1984]

Dickerson spent \$100,000 of Hoffman's funds to hire New Knowledge, a social media research firm, to conduct research in Alabama's election, the Post reported, citing an anonymous source.

1049. Defendants used fake Facebook and Twitter accounts to create a "false flag" fake "Dry Alabama" campaign to influence the 2017 Alabama special election.

1050.  News  01/07/19 "Democrats Faked Online Push to Outlaw Alcohol in Alabama Race (Published 2019)" [D1180]

1051.  [D1180]

The "Dry Alabama" Facebook page, illustrated with stark images of car wrecks and videos of families ruined by drink, had a blunt message: Alcohol is the devil's work, and the state should ban it entirely.

1052.  [D1180]

Along with a companion Twitter feed, the Facebook page appeared to be the work of Baptist teetotalers who supported the Republican, Roy S. Moore, in the 2017 Alabama Senate race. "Pray for Roy Moore," one tweet exhorted.

1053. Defendants are in the habit of using sock-puppets and bot farms to fabricate organic behavior.

1054.  [D1180]

The New York Times reported last month on a separate project that used its own bogus conservative Facebook page and sent a horde of Russian-looking Twitter accounts to follow Mr. Moore's to make it appear as if he enjoyed Russian support.

1055.  [D1180]

Matt Osborne, a veteran progressive activist who worked on the project, said he hoped that such deceptive tactics would someday be banned from American politics. But in the meantime, he said, he believes that Republicans are using such trickery and that Democrats cannot unilaterally give it up.

1056. The decisions of this cohort were hotly debated within progressive circles.

1057.   Matt Osborne [D1180]

"If you don't do it, you're fighting with one hand tied behind your back. You have a moral imperative to do this --- to do whatever it takes."

1058.  [D1180]

The discovery of Dry Alabama, the second so-called false flag operation by Democrats in the fiercely contested Alabama race, underscores how dirty tricks on social media are creeping into American politics

1059.  [D1180]

The first of the Alabama efforts was funded by Reid Hoffman, the billionaire co-founder of LinkedIn, who apologized and said he had been unaware of the project and did not approve of the underhanded methods. The second was funded by two Virginia donors who wanted to defeat Mr. Moore --- a former judge accused of pursuing sexual relationships with underage girls --- according to a participant who would speak about the secret project only on the condition of anonymity and who declined to name the funders.

1060. Beth Becker, a participant in the conspiracy in this case, ran the digital campaigns.

1061.  [D1180]

Beth Becker, a social media trainer and consultant in Washington who handled Facebook ad spending for the Dry Alabama page and the project's other Facebook page, called Southern Caller, said in an interview that a nondisclosure agreement prohibited her from saying much about the project.

But, she added, "I don't think anything this group did crossed any lines."

That may be true in the sense that neither law nor regulations set any clear limits on social media activity in elections. "The law has clearly not caught up with social media," Ms. Becker said.

1062. These tactics originated at Netroots Nation in 2017.

1063.  [D1180]

Mr. Osborne, who said he helped conceive the Dry Alabama project and wrote for the Southern Caller page, said the effort began inconversations with acquaintances from his years at the annual Netroots Nation progressive gatherings. They discussed what tactics might help Mr. Jones's chances and zeroed in on tensions within the Republican Party over whether drinking should be permitted in Alabama, where the number of dry counties had dwindled

1064.  [D1180]

So some Democrats were discomfited by the revelation that the first of the Alabama efforts was explicitly devised to try out the tactics of the Russian operation, according to an internal report on the project obtained by The Times.

1065.  [D1180]

But after the Times report in December, he acknowledged, in a post on the online forum Medium, a "concern that our tactics might cause us to become like those we are fighting." He declared that "some tactics are beyond the pale."





1066. On December 26, 2018, in a post on Medium, Reid Hoffman apologized for the use of his funding to support these disinformation tactics.

1067.  Web Page  12/26/18 "Truth and Politics" [D1990]

1068.  Reid Hoffman [D1990]




To reiterate yet again, I find the tactics that have been recently reported highly disturbing. For that reason, I am embarrassed by my failure to track AET --- the organization I did support --- more diligently as it made its own decisions to perhaps fund projects that I would reject.

IV.D.5.f DNC 2018 Summer Meetings

1069.  Web Page  05/01/18 "Upcoming DNC & RBC Meetings!,Upcoming DNC & RBC Meetings! DemRulz" [D1276]  DemRulz
1070.  DemRulz [D1276]
- The full DNC is holding its summer/fall meeting on August 23-25, at the Hyatt Regency Chicago, 151 E Upper Wacker Dr, Chicago, IL 60601.

IV.D.5.g DNC 2018 Winter Meetings

IV.D.5.g.1 DNC DDX vs Alloy

1071. In late 2018, according to Politico, "Democrats at war over trove of voter data"
1072.  News  12/06/18 "We have a crisis: Democrats at war over trove of voter data" [D581]  POLITICO



State parties have expressed bewilderment that the Democratic National Committee is expecting them to cede some control of one of their key assets — for what they consider to be nothing in return. | Saul Loeb/AFP/Getty Images

ELECTIONS




"We have a crisis": Democrats at war over trove of voter data

A plan pushed by the Democratic National Committee has triggered a fierce backlash within the party, which is already lagging behind Donald Trump.

By ALEX THOMPSON | 12/06/2018 05:09 AM EST

SAN JUAN, Puerto Rico — Democrats are at war over the party's most precious commodity — voter data — and it's threatening their chances of beating President Donald Trump in 2020.

"Crisis" [D581]

1073.  Robby Mook, Hillary Clinton's campaign manager [D581]
- "We have a crisis," said Robby Mook, Hillary Clinton's campaign manager in 2016. "Republicans are going to have a major strategic advantage over us in 2020 if we don't fix it."
1074.  Alex Thompson, Politico [D581]
- But in interviews with more than two dozen state party chairs, vice chairs and executive directors, the response to the proposal being pushed by DNC Chairman Tom Perez and his leadership team ranged from skeptical to outright hostile.
1075.  A. Thompson [D581]

Frustrations among several state party officials focused on the DNC's chief technology officer, Raffi Krikorian, who came to the party from Silicon Valley, and on its recently named chief executive, Seema Nanda, who worked for Perez in his previous job at the Labor Department. Neither official has significant campaign experience.

1076.   Jim Roosevelt [D581]

"The logjam has to be broken on this because we need this in order to win," said Jim Roosevelt, co-chair of the DNC's rules and bylaws committee and a longtime party official, who declined to take sides.

1077.   A. Thompson [D581]




Several state party officials said they're working on a counterproposal to present in early 2019. They said it would still allow data swapping among the party and outside groups while keeping the voter file under their control.

1078.  [D581]

The DNC is advocating a proposal modeled on the Republican Party's data operation. It would amass all the voter data from Democratic groups into a single, for-profit entity.

Data Exchange plan pushed by the Democratic National Committee has triggered a fierce backlash within the party

1079. According to Politico 12/10/2018, one of the main concerns about the Reid Hoffman's voter data project was that it limited the Democratic party's control over the data. The party's control over this data has been used as gatekeeper powers to influence primary elections. The concerns also included viewing the project as an "existential threat" to the state parties.

1080.  News  12/10/18 "LinkedIn co-founder backs \$35 million voter data project in existential threat to Democratic Party" [D583]  POLITICO

1081.   Alex Thompson, Politico [D583]

State parties agree that some entity allowing for data integration should be created and are working on several counterproposals to present in the coming weeks. They are wary of giving up some control of their voter file to an outside entity.

1082.   A. Thompson [D583]

With tens of millions of dollars at their disposal, the people behind Hoffman-backed project could eventually create their own voter file, making the Democratic Party's file less valuable. That process, however, would likely take several years and would be nearly impossible to complete by the 2020 election.

1083.   A. Thompson [D583]

LinkedIn co-founder backs \$35 million voter data project in 'existential threat' to Democratic Party

1084.   A. Thompson [D583]

The DNC's top leaders have been telling people that Hoffman's project represents an "existential threat" to the party, according to two sources with knowledge of the discussions.

1085.   A. Thompson [D583]

As we build this effort, we will be reaching out to all the key players soon to get this done," a person familiar with the ongoing discussions told POLITICO, stressing that the project is still in its early stages.

1086.   A. Thompson [D583]

Both of [the data trust projects] will eliminate state parties, not immediately but eventually," said one state party official. State parties will still be subject to campaign finance limits while outside groups without those limits would have access to their voter file data, putting them at a disadvantage that could grow with time, the thinking goes.

1087.  News  12/16/18 "DNC Chair Tom Perez goes to war with state parties" [D1283]
 POLITICO

1088.   Alex Thompson, POLITICO [D1283]

Democratic National Committee Chairman Tom Perez launched an attack on his own party's state organizations Saturday with a long and angry email over the future of the party's most valuable asset --- its voter data file. Just days before an important Tuesday meeting in D.C. on the future of the data operation, Perez sharply criticized a new proposal from state party leaders and singled out prominent state officials by name.

1089.   A. Thompson [D1283]

It's the latest fight in a quickly escalating war over the trove of Democratic voter information --- a conflict that broke into the open at a gathering of the state parties and the DNC in Puerto Rico late last month.

1090.   A. Thompson [D1283]

The party's data are largely owned by the state parties, but a considerable amount of other data being collected by outside groups like labor unions and super PACs could be leveraged to benefit Democratic candidates and the eventual 2020 nominee.

The DNC wants to gather all the data points on voters into a new, massive for-profit database but needs to convince state parties on the idea. The state parties have been wary, accusing the DNC of conducting a power grab that could financially benefit a few elite party figures.

1091.   A. Thompson [D1283]




Perez argued in his Saturday email that "Ken's new entity...amounts to having State Parties effectively going alone on technology and data." He threatened to cut off access to campaign tech tools like VoteBuilder, an online organizing platform, if state parties go forward with their plan.

1092.   Tom Perez, DNC Chairman [D1283]

"You would have to find a replacement for VoteBuilder --- either building or buying --- as the DNC has sole rights to the platform..."

IV.D.5.g.2 Groundbase acquired by Acronym and Renamed Shadow




1093. In January 2019, near the end of the racketeering conspiracy to operate OSDI, GroundBase, founded by Gerard Niemira, was acquired by VC Acronym.

1094.  Tweets  01/17/19  2019-01-17 11:20am "acronym acquire groundbase shadow" [D1571]

1095.   Acronym Twitter  11:20a [D1571]

Some news this morning We've acquired SMS tool Groundbase & are launching Shadow, a company focused on building the technology infrastructure needed to enable Democrats to run better, more efficient campaigns

1096. In a blog post the same day, from Gerard Niemira, he outlines an integration platform, which would be released at Netroots Nation 2019 and described as a "universal adapter."

1097.  Web Page  10/02/19 "Whats New in Shadow ? : October 2019,Whats New in Shadow ? : October 2019 | by Shadow Inc. | Medium" [D1311]  Medium

1098.  Gerard Niemira, Acronym [D1311]

ACRONYM is thrilled to announce the launch of Shadow, a new technology company that will exist under the ACRONYM umbrella and build accessible technological infrastructure and tools to enable campaigns to better harness, integrate and manage data across the platforms and technologies they all use.

1099.  G. Niemira [D1311]

I co-founded Groundbase (formerly called GroundGame) in 2017 with a few of my colleagues from the Hillary for America campaign where we built tools for HFA's field team.

1100.  G. Niemira [D1311]

But by marrying Groundbase with ACRONYM's digital communications and advertising expertise, Shadow will also focus on creating the infrastructure that will enable Groundbase technology -- as well as all the other technology offerings in the political market -- to better integrate across platforms and organizations.

1101.  G. Niemira [D1311]



How will this work in practice?
Today, an organizer might create an event within a platform such as MobilizeAmerica. Then, they'll call or text everyone who signed up for that event to confirm their attendance. The current best-practice workflow for this is to manually pull the event attendee data from MobilizeAmerica, manually upload it to an SMS tool to text confirmed attendees and then manually update MobilizeAmerica with the results, which are synced to VAN. At every manual step mistakes are made, data is lost, and shortcuts result in lower event attendance and fewer voters ultimately reached.

1102.  G. Niemira [D1311]

Our goal is to develop a data syncing platform that automatically solves ecosystem problems like this one: getting data where it needs to go when it needs to go there, saving organizers hours of work and reducing the risk of mistakes and lost data. And imagine how much more effective campaigns and organizations would be if they knew not only whether a voter's door was knocked, but whether they received a text message about a local event from their state party or local candidate

IV.D.5.g.3 DDX Wins




1103. On 2/13/2019, the DNC announced on its website that an agreement to use Democratic Data Exchange (DDX) had been made with state parties.

1104.  Web Page  02/13/19 "DNC and State Parties Announce Historic Agreement" [D578]

1105.  [D578]

Today, the Democratic National Committee (DNC) and Democratic state parties announced an historic four-year agreement that will guarantee more investment in- to Democratic state parties and grassroots infrastructure than ever before.

1106. The DDX would be led by Howard Dean. This settled a long running rift between the Netroots and the party establishment.

1107.  News  02/13/19 "Howard Dean to head new Democratic voter data exchange" [D588]  The Burlington Free Press

1108.   Bill Barrow, Burlington Free Press [D588]

Dean confirmed that he's signed on to lead a planned data exchange hammered out by DNC officials, state party leaders and Democratic consultants. The agree- ment still requires the expected approval from state party leaders gathering Wednesday in Washington, but it would end more than 18 months of internal party wrangling that has dogged DNC Chairman Tom Perez amid fights over money and control.


1109.   BILL BARROW [D588]


"He's really a unique person in the DNC," said Mary Beth Cahill, a top Perez lieutenant who led the negotiations and who managed John Kerry's 2004 presidential cam- paign that defeated Dean. "Just looking at the landscape, he seems like one of the best signals we could send" to get everyone on board.

1110.   B. BARROW [D588]

The new exchange will operate as an independent for-profit enterprise led by Dem- ocratic strategist Jen O'Malley Dillon, once a top adviser to Hillary Clinton's cam- paign.

1111. <https://theintercept.com/2019/03/22/house-democratic-leadership-warns-it-will-cut-off-any-firms-who-challenge-incumbents/>

1112.  News  03/22/19 "House Democratic Leadership Warns It Will Cut Off Any Firms That Challenge Incumbents" [D725]  The Intercept

1113.  [D725]

The Democratic Congressional Campaign Committee warned political strategists and vendors Thursday night that if they support candidates mounting primary chal- lenges against incumbent House Democrats, the party will cut them off from busi- ness.

1114.  [D725]

The strategy isn't new. Though it did bring a few more hiccups in 2018 than expected, which makes the rollout all the more puzzling. "There was never an enforcement that I've ever seen," the strategist told The Intercept. "This is the first time that they are ever making it open policy."






IV.D.5.g.4 Digital Platforms and Applications

1115. 1Q2019 was the end of Defendants' proxies "operate" phase. The effect of their fraud was to make them appear to be the most active contributors to the project.

1116. 1Q2019 is also when GroundGame (Gerard Neimira) was acquired by Acronym, renamed Shadow. "Lightrail" was then announced, which was a synchronizer product who's infringement would later become discoverable in Summer 2021.

IV.D.5.h Netroots Nation 2019





IV.D.5.h.1 DDX Canonized

1117.  Conference Session  07/13/19  2019-07-13 11:45am "Democratic Data: How We Are Bringing It All Together Netroots Nation" [D576]  ;  Netroots Nation

1118.   Netroots Nation  11:45a [D576]

After more than a year of consultation with hard side partners—including state parties and sister committees—the DNC has entered into a partnership with the Democratic Data Exchange to allow real-time data sharing with partners around the political ecosystem. This is a gamechanger for our entire progressive universe. From IEs, labor unions, SuperPACs, and newly formed progressive groups, to electoral campaigns, the committees that drive national investment, and the state parties that are the infrastructure after a cycle has passed: everyone can all benefit from DDX, so come learn how 1145a - 1p

IV.D.5.h.2 Action Builder Release

1119.  Conference Session  07/11/19  2019-07-11 11:15am "This Is How We Win: A First Look at Action Builder Netroots Nation" [D1759] 

1120.   11:15a [D1759]

As progressives, we win when we take the time to build and maintain relationships with and between activists, understand the issues we all face, and identify and develop our future leaders. Come by for a Philly Water Ice, join leading organizers and the Action Builder team for a discussion on building a sustainable and scalable movement through tried-and-true organizing tactics, and enjoy a special demo of the new organizing toolset, Action Builder, from the organization that brought you Action Network.

IV.D.5.h.3 Shadow Lightrail Released

1121.  Conference Session  07/12/19  2019-07-12 4:30pm "DON'T PUT DIGITAL IN THE CORNER: WHY EVERY DEPARTMENT SHOULD BE USING DIGITAL TOOLS AND TACTICS" [D1648]  ;  Netrootsnation

1122.   netrootsnation  4:30p [D1648]

Politics in the modern age has taught us that digital tools and tactics are no longer the singular resource of a "digital team." From comms to development to field staff, everyone will fail to reach their full potential if they don't include digital tactics in their work. This panel will take a deep dive into how digital tools and tactics like email, SMS, social media organizing and more can and should be used to support the work of an entire organization.

1123.   netrootsnation  4:31p [D1648]

GERARD NIEMIRA

Gerard is an experienced product and engineering leader with over 12 years of work in the nonprofit and political sectors. Most recently, he led product teams at Hillary for America, where he was Director of Product for the campaign's suite of organizing, events, and major donor fundraising tools. Prior to that, he spent 8 years at the online crowdfunding pioneer Kiva, most recently as Vice President of Product and Engineering leading a team of 40 engineers, designers, and product managers. He has spent his career working for progressive causes and organizations promoting social good.

1124.  Web Page  07/18/19 "Introducing Shadow Inc: Shining a Light on Political

Data,Introducing Shadow Inc: Shining a Light on Political Data | by Shadow Inc. | Shadow Inc | Medium" [D1199] Medium

1125. Gerard Niemira, Shadow [D1199]
- Since we initially announced our acquisition by ACRONYM earlier this year, Shadow has been hard at work to publicly launch and bring you new tools to help progressive campaigns and causes win up and down the ballot. That's why we're excited to share two big announcements today:
1126. Gerard Niemira, Acronym [D1199]
- Lightrail is the universal adapter for progressive political data. Lightrail is the universal adapter for progressive political data. It makes it easy for you to move data from tool to tool and back to your data warehouse so that you can get your data where it needs to go without having to know Python or SQL.
1127. G. Niemira [D1199]
- Over the summer we'll be releasing more connections and more pipelines, like BSD Tools, VAN, MobilizeAmerica, Redshift, and more, but if you're interested in getting started with Lightrail today, let us know!
1128. G. Niemira [D1199]
- Say Hello to Shadow Messaging
Our goal is to make tools that empower organizers and advocates to do what they are already doing but faster, easier, and in a way that makes it simple to scale their impact.
We know that peer-to-peer SMS is only one tool that organizers use to communicate with their people and in some cases it may not be the most cost-effective way to organize. So we're adding a new tool to our peer-to-peer messaging suite: peer-to-peer email.
1129. G. Niemira [D1199]
- This new email tool lets organizers send email from their own email address that's templated to a list synced or uploaded to our tool. Replies go directly to the organizer's inbox where they're managed like any other email, but data about the initial send is tracked (bounce rates, open rates, clickthrough rates) and can be synced into VAN so you can see directly in your CRM who received the mail.

IV.D.5.i Data War Endgame 4Q2020

IV.D.5.i.1 Alloy's Demise


1130. News 12/15/20 "Inside the implosion of the \$35 million startup meant to fix the Democratic Party" [D886] Vox
1131. Theodore Schleifer [D886]
- Backed with \$35 million --- half from Silicon Valley celebrity billionaire Reid Hoffman --- Alloy was pictured as the le's belated big money answer to the right's supremacy in the world of political data.
1132. T. Schleifer [D886]
- The founders' initial pitch of the startup in late 2018 centered on functioning as the principal way for the Democratic Party to legally "exchange" data with affiliated outside groups like super PACs --- an arrangement that the GOP had plowed hundreds of millions to successfully develop in the aftermath of the 2012 election.

1133.  T. Schleifer [D886]

The state parties ended up largely working with the national party on their own new, independent data portal, the Democratic Data Exchange (DDX), which after many delays, eventually rendered the initial idea of Alloy largely duplicative, even though Alloy had a head start and more money

1134.  T. Schleifer [D886]

Without realizing it, the scrappy startup was being blocked out by powerful incumbents --- a "monopoly" in the eyes of some Alloy allies --- and was unable to execute the deals that would make the data portal work.

1135.  News  11/23/20 "Democratic data group Alloy funded by Reid Hoffman shuts down - Vox, The \$35 million play to fix Democrats data problem is shutting down" [D584]  Vox

1136.  Theodore Schleifer [D584]

Alloy, a group started with \$35 million in part from Silicon Valley billionaire Reid Hoffman, said on Monday that it would begin to "wind down its operations" next year after it completes its work for the January runoff elections in Georgia.

1137.  T. Schleifer [D584]

Alloy was originally envisioned as a new data exchange where all Democratic efforts could swap information on progressive voters. But when it was introduced, the effort angered some party leaders who saw it as a stereotypical attempt by hubristic Silicon Valley billionaires to fix a problem they didn't understand.

1138.  T. Schleifer [D584]

the Democratic Party ended up having its own solution to its 2016 errors. The Democratic Party started building out a data portal called the Democratic Data Exchange,

1139.  T. Schleifer [D584]

the relationship between Alloy and the Democratic Party could be tense at times, with some party leaders seeing Alloy as an "existential threat."

1140.  T. Schleifer [D584]

But no single project was more closely associated with him than Alloy

IV.D.5.i.2 Alloy Acquired by Civitech (HGL)

1141.  News  03/01/23 "Civitech Acquires Alloy Data and Technology, Civitech Acquires Alloy Data and Technology - Civitech" [D1979]  Civitech

1142.  [D1979]

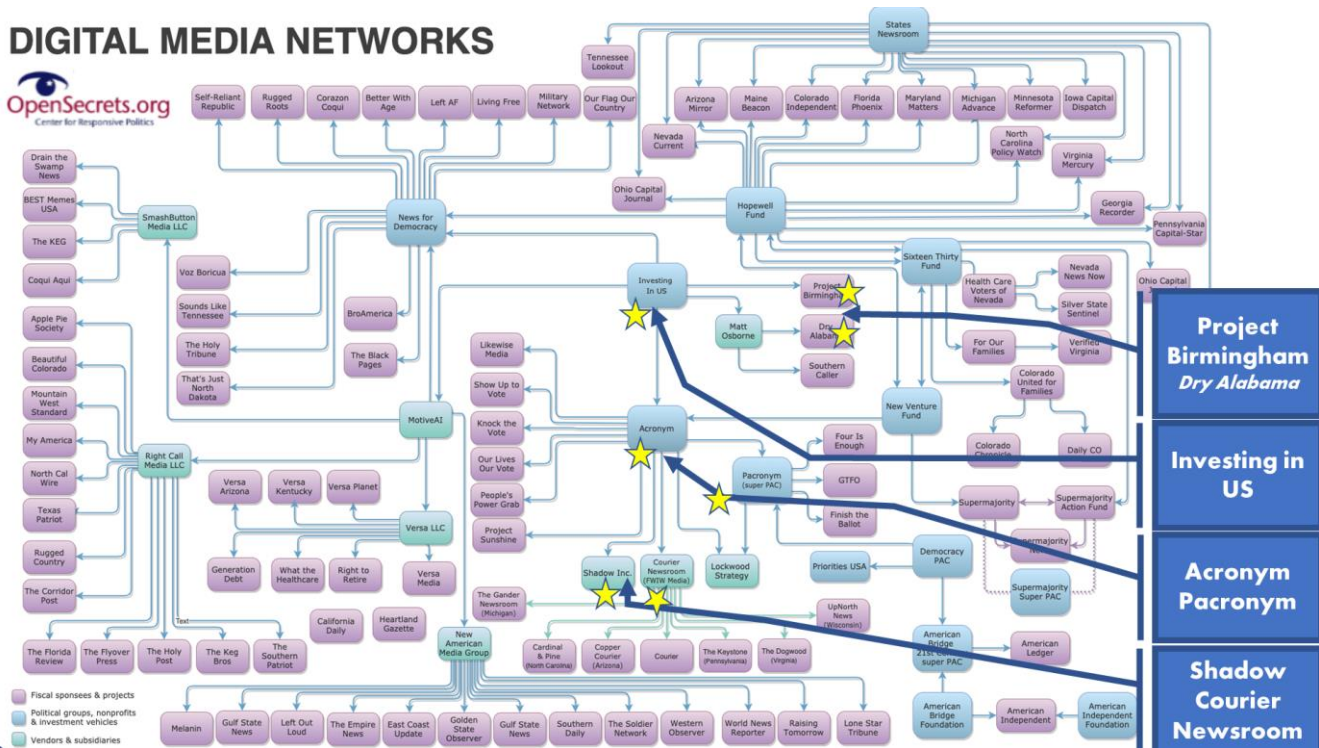
Civitech incorporates Alloy products to continue to power progressive campaigns to victory.

IV.D.5.i.3 GRU Style Disinformation Networks

1143. The experiments described above have evolved into a large scale network of coordinates sites, acting as local news sites, operating in a coordinated fashion.

DIGITAL MEDIA NETWORKS

OpenSecrets.org
Center for Responsive Politics



'Dark money' networks hide political agendas behind fake newsites

1144. News 05/22/20 "Dark money networks hide political agendas behind fake news sites" [D1363] OpenSecrets News

1145. [D1363]

One newer group heralding the new era of pseudo-news outlets is ACRONYM, a liberal dark money group with an affiliated super PAC called PACRONYM. The nonprofit also is an investor in a for-profit digital consulting firm that gained notoriety for its role in launching Shadow Inc., the secretive vendor behind a vote tabulation app at the center of the pandemonium at the Iowa Democratic caucuses. ACRONYM announced it was divesting in Shadow Inc. shortly thereafter.

1146. [D1363]

Launched in 2017, ACRONYM received financial backing from Investing in US, an investment vehicle funded by Silicon Valley donor and billionaire LinkedIn founder Reid Hoffman. ACRONYM received \$250,000 from New Venture Fund the following year, according to New Venture's most recent tax return.

1147. [D1363]

ACRONYM raised \$9.4 million from secret donors during its second year of operation through April 2019, more than seven times the prior year according to its tax returns. Three anonymous donors giving more than \$1 million each made up more than half of that, with the top donor giving more than \$2 million.

1148. [D1363]

ACRONYM is behind Courier Newsroom, a network of websites emulating progressive local news outlets. Courier has faced scrutiny for exploiting the collapse of local journalism to spread "hyperlocal partisan propaganda." It claims to operate "independent from" ACRONYM and says ownership is shared with "other investors." But a new tax return obtained by OpenSecrets lists ACRONYM as the full owner of Courier as of April. 30, 2019, the most recent date on record.

The Keystone
Sponsored - Paid for by Courier Newsroom

As unemployment numbers rise in Pennsylvania and thousands lose their employer-provided healthcare, the Trump administration will not reopen the federal health insurance marketplace.

KEYSTONENEWSROOM.COM
Trump Refuses to Reopen Healthcare Enrollment Even As Millions Lose Jobs
Despite days of hinting at the possibility, the Trump administration will not reopen enrollment under the Affordable Care Act.

Amount spent (USD): \$1.5K - \$2K
Potential Reach: 100K - 500K people

The Gander Newswroom
Sponsored - Paid for by Courier Newsroom

As unemployment numbers rise in Michigan and thousands lose their employer-provided healthcare, the Trump administration will not reopen the federal health insurance marketplace.

GANDERNNEWSROOM.COM
Trump Refuses to Reopen Healthcare Enrollment Even As Millions Lose Jobs
Despite days of hinting at the possibility, the Trump administration will not reopen enrollment under the Affordable Care Act.

Amount spent (USD): \$1K - \$1.5K
Potential Reach: 100K - 500K people

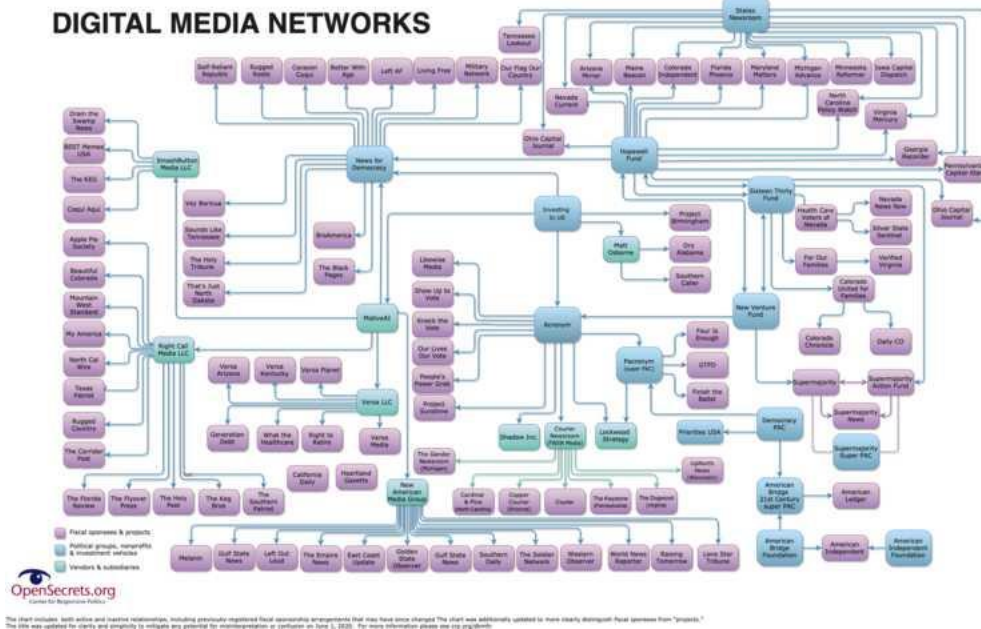
Cardinal & Pine
Sponsored - Paid for by Courier Newsroom

As unemployment numbers rise in North Carolina and thousands lose their employer-provided healthcare, the Trump administration will not reopen the federal health insurance marketplace.

CARDINALPINE.COM
Trump Refuses to Reopen Healthcare Enrollment Even As Millions Lose Jobs
Despite days of hinting at the possibility, the Trump administration will not reopen enrollment under the Affordable Care Act.

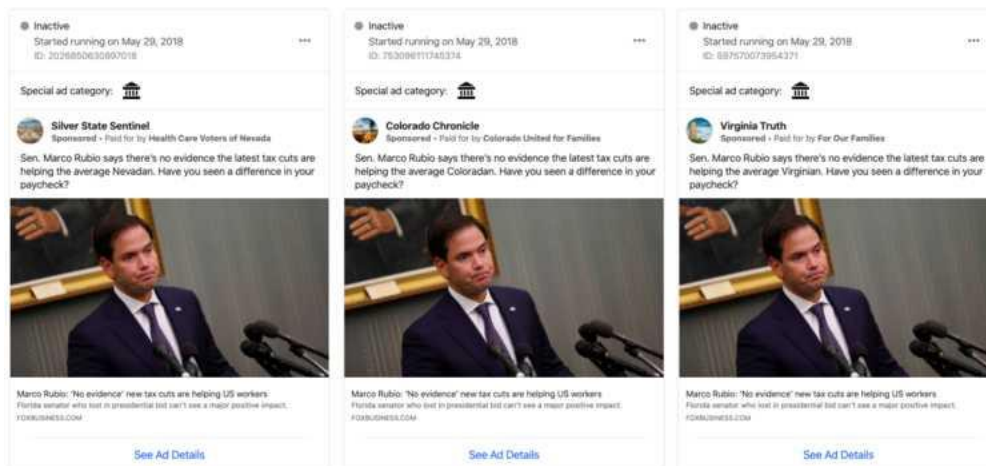
Amount spent (USD): \$800 - \$899
Potential Reach: 100K - 500K people

DIGITAL MEDIA NETWORKS



[D1363]

Sixteen Thirty Fund sponsored social media pages and digital operations for five pseudo local news outlets in three states in 2018. They appeared to be independent of each other, but promoted themselves with nearly identical digital ads. Facebook pages operating under the auspices of the Colorado Chronicle, Daily CO, Nevada News Now, Silver State Sentinel and Verified Virginia gave the impression of multiple free-standing local news outlets with unique names and disclaimers. But the sponsors of those ads are merely fictitious names used by the Sixteen Thirty Fund,



"Undisclosed Coordinated Ads by Sixteen Thirty Fund" [D1363]

1151. [D1363]

Dark money networks hide political agendas behind fake news sites (Zoom)

1152. [D1363]

Websites affiliated with Courier Newsroom that appear to be free-standing local news outlets are actually part of a coordinated effort with deep ties to Democratic political operatives. OpenSecrets first revealed the network's digital ad spending at the Investigative Reporters and Editors NICAR conference in March.

IV.D.5.i.4 Digital Platforms

1153. Defendants actions to invest the proceeds of their racketeering activity are described in the relevant sections

IV.E Racketeering to Invest Proceeds

1154. Today, the market for Digital Microtargeting Platforms has changed.

IV.E.1 Action Squared

1155. Action Squared is a joint effort between Action Network and AFL-CIO, whose products include Action Network and Action Builder, which have been merged into single product as the result of a platform disintermediation play. Product direction is governed by a model referred to as "Cooperative Development" which shares dominant control among "keystone partners" including AFL-CIO, Action Network, DNC, and DailyKos/Netroots Nation.

1156. Action Squared "cooperative development" development partners included Action Network, AFL-CIO, and DailyKOS/Netroots Nation.

1157. Podcast 01/18/19 2019-01-18 11:37am "Building tech tools that help progressive organizations operate w/ the Action Network's Brian Young" [T174]
Nathaniel G. Pearlman, The Great Battlefield; Nathaniel; Brian

1158. Nathaniel +27:01 [T174]

software, all of that. Yeah, a lot of that, you know, all of it was bootstrapped. You know, we built the first tool set and then we really realized we needed some core partners to make this work, you know, we weren't, we're a non profit. So we couldn't offer R. O. I. To investors, you know, nobody's going to get a return on investment to it. So we really needed some real partners that could make this work and we needed to build it in a way, um, rather than giving up our sort of ideological focus, we would give up some of the control and really think of it as a cooperative sense. So, um, we really found that partner in the A. F. L. C. I. O. Um, which in outside people might think that would be an odd partner.

1159.   Nathaniel  +27:01 [T174]

And the way that we set that up is the we have the development committee called the platform Development committee. And that committee collectively sets the roadmap for development every year. So our core development is driven by that committee. The committee um right now it's us, AFLCIO, and DailyKOS

1160.   Brian  +40:23 [T174]

always cognizant and aware that the uh production database can be optimized often for one thing or another if you're trying to do too many things in one tool set that are really sort of opposite in the way you use a database, especially you're having to fudge your optimizations and sort of try to fit things together where, you know, we're building a digital tool set with the action network and that's what it's for and it's not really a phone um tool. So we really always from the beginning we contracted KPI and trying to build a good api so people could integrate in with

1161.   Brian  +40:23 [T174]

keeping your focus on

1162.   Brian  +40:23 [T174]

keeping the focus there and building in really think of ourselves as a, as part of a tech ecosystem and we're not going to be everything for everybody.

1163. On 7/11/2019, at Netroots Nation 2019, Action Builder is introduced in a session "A First Look at Action Builder"

1164.  Conference Session  07/11/19  2019-07-11 11:15am "This Is How We Win: A First Look at Action Builder Netroots Nation" [D1759] 

1165.   11:15a [D1759]

As progressives, we win when we take the time to build and maintain relationships with and between activists, understand the issues we all face, and identify and develop our future leaders. Come by for a Philly Water Ice, join leading organizers and the Action Builder team for a discussion on building a sustainable and scalable movement through tried-and-true organizing tactics, and enjoy a special demo of the new organizing toolset, Action Builder, from the organization that brought you Action Network.

1166. Action Squared announces created vertical agreement with DNC and adds DNC as a development partner.

1167.  Web Page  03/11/20 "Action Network partners with the DNC to build sustainable technology infrastructure for progressives" [D499]

1168.   Patrick Stevenson, Chief Mobilization Officer, DNC [D499]

"We switched our entire program to Action Network at the beginning of December and are wrapping up our best online fundraising Q1 in a decade, money that we will desperately need in the months to come as we react to this crisis."




1169.  Brian Young, ED, Action Network [D499]

With the AFL-CIO as our key first partner, we set up a unique cooperative development model, where we partner directly with major progressive institutions to build technology, working directly with the people using our tools.

1170.  B. Young [D499]

We were excited to bring the DNC on as partners, believing that creating the strongest and most robust infrastructure for the 2020 election was crucial. The growing needs related to the unprecedented COVID-19 outbreak make this all the more urgent.

1171. For the first time Plaintiff was aware of, Action Squared treats OSDI as its own property. The program announcement, which is the property element of extortion is attributed to a woman, Amy Chin-Lai.

1172.  Web Page  12/02/20 "Integrating your platform with Action Network is now easier than ever, Integrating your platform with Action Network is now easier than ever | by Amy Chin-Lai | Powering Progressive Movements | Medium" [D449]  Medium

1173.  Amy Chin-Lai, Action Network [D449]

Who can be a part of the Integration Partnerships Program?
Any developer, consultant, or platform that wants to build an integration with Action Network.

1174.   Amy ChinLai, <https://medium.com/amychinlai> [D449]

Integrating your platform with Action Network is now easier than ever, Integrating your platform with Action Network is now easier than ever | by Amy Chin-Lai | Powering Progressive Movements | Medium




1175.  A. Chin-Lai [D449]

Integrations (like the ones we already have) allow our partners to use tools that are best for their given purpose, whether it's a fully-featured CRM, peer-to-peer texting tool, phone banking, or advocacy tool.

1176.  A. Chin-Lai [D449]

I'll work closely with other platforms to improve and maintain integrations and work to integrate with more platforms for our partners.

1177. Brian Young announces the program on Twitter.

1178.  Tweets  12/03/20  2020-12-03 12:58pm "Tweets: Partner Program Announcement" [D501]

1179.   @TheActionNet  2020-12-02 1:01pm [D501]

Introducing the Integration Partnerships Program! Open to any developer, consultant, or platform that wants to build an integration with Action Network.

1180.   Brian Young  2020-12-03 12:58pm [D501]

Focusing on integrations and being a part of an overall tech ecosystem is a big key to long term innovation and stability in progressive technology

1181. Disparate Impact Though Brian gets the retweets on Twitter, he put his female employee in the path of legal jeopardy, since the announcement is the first public example Plaintiff discovered of Action Network treating the OSDI as its own.

1182. Action Network and Action Builder are merged into a single product, completing the platform disintermediation play.

1183.  News  06/22/21 "Mobilizing AND organizing are essential to building progressive power,Mobilizing AND organizing are essential to building progressive power | by Brian Young | Powering Progressive Movements | Medium" [D830]  Medium

1184.  Brian Young, Action Network [D830]

At Action Network & Action Builder, we're uniting the two into a seamless power-building model

1185.  B. Young [D830]

To date our two tools, Action Network and Action Builder, have existed in tandem, but apart.



1186.  B. Young [D830]

Through our cooperative development model, in which we build tools hand-in-hand with activists and organizers, we've built a brand new way to integrate your mobilizing and organizing programs

1187.  Brian Young,httpsmediumcomBrian_ActionNetwork, theactionnet [D830]

Mobilizing AND organizing are essential to building progressive power,Mobilizing AND organizing are essential to building progressive power | by Brian Young | Powering Progressive Movements | Medium

1188. Action Builder launches its API, which is also OSDI laundered into a proprietary walled garden, once again attributed to a woman.

1189.  News  02/23/22 "Introducing the Action Builder API,Introducing the Action Builder API | by Amy Chin-Lai | Powering Progressive Movements | Medium" [D1767]  Medium

1190.  Amy ChinLai,httpsmediumcomamychinlai, theactionnet [D1767]

Action Builder is the premier organizing tool for the labor movement, community organizations, and beyond. We built the API in collaboration with the AFL-CIO and organizers on the ground.

1191.  A. ChinLai [D1767]

You can build something so Action Builder communicates with your peer-to-peer texting tool, your database, and beyond.

1192.  [D1767]

introducing_the_action_builder_api_d628b1f36e2b

1193.  A. ChinLai [D1767]

Sign up for our Integration Partnerships Program here:
<https://www.actionbuilder.org/developers>

1194.  Web Page  05/25/22 "API Documentation | Action Builder,Action Builder"

[D1764]

1195.

 [D1764]

Built by organizers, for organizers from the ground up for organizing and leadership development

1196.

The platform application integration API remains OSDI, however it has been laundered and portrayed as Action Squared proprietary API and ecosystem, and has used Embrace, Extend, Extinguish tactics adding proprietary extensions and incompatible changes,

IV.E.2 NGPVAN

1197.

NGPVAN continues as the 2nd Dominant platform now owned by Bonterra after a swath of acquisitions and consolidation in the market.

IV.E.3 PDI

1198.

PDI remains as a distant 3rd. PDI's API, which can be seen at the link below, is completely different than OSDI. It is also an example of how there are many ways to express an API.

1199.

 Specification  06/22/23 "PDI API" [D1948]

1200.

As a result it does not compete at the level of the market, and must re-source its own economy of scale.

IV.E.4 The market for Digital Microtargeting Platform Data Synchronizers



Universal Adapters

1201. As a result of Defendants unlawful conduct, the market for Digital Microtargeting Platforms has been coerced to proprietary walled gardens. As a result, Data Synchronizers must spend engineering resources building a library of proprietary connectors for each application and platform they want to integrate with.
1202. These libraries are economies of scale which favors entrenched players, large players with significant resources, such as VC funded companies. Engineering resources to build and maintain these libraries are a tax on top of the feature functionality of the products themselves.
1203. Plaintiff's Data Synchronizer product will suffer as a result. Prior to OSDI's destruction at the hands of racketeers, Plaintiff focused his resources on the feature functionality that differentiated his product. As a sole-proprietor the external network effect was essential to his ability to participate in the market.
1204. In the current state of the market, Plaintiff as well as other market players will have to spend money and engineering resource to build the library of connectors. As the market of applications and platforms grows, this becomes an increasingly large tax, which is a barrier to entry.

IV.E.5 Higher Ground Labs

IV.E.5.a Overview

1205. Another recipient of the proceeds is Higher Ground Labs's portfolio companies Civitech, Mobilize, New/Mode, and Shadow Lightrail (renamed Bluelink and acquired by Civitech).
1206. Lightrail is a product that synchronizes data between platforms. Its API is also OSDI, misrepresented as its own proprietary API using Embrace, Extend, Extinguish tactics adding proprietary extensions and incompatible changes,
1207. The conspiracy to invest the proceeds of racketeering activity into Higher Ground Labs depends on the same conspiracies to gain control of OSDI and operate it.
1208. It begins in 2013 when Nathan Woodhull sought to exploit Plaintiff and OSDI to secure venture capital from New Media Ventures and Action Network sought to become "one of two widely used progressive APIs"
- On 7/7/2017, Brady Kriss/RagTag introduced Plaintiff to Dimitri Mehlhorn, Reid Hoffman's political director. [672?]
 - On 8/2/2017, Higher Ground Labs announced its initial cohort including Gerard Niemira's GroundBase and New/Mode. [D1637]
 - On 8/15/17, Plaintiff met with Mehlhorn. [1867?] Plaintiff rejected Mehlhorn's funding proposal for OSDI that would use it as a proprietary, internal network effect.
 - From this point, Woodhull, Niemira and RagTag engaged in a conspiracy to gain control of OSDI, operate it and invest the proceeds into Higher Ground Labs.
 - On 8/2/2017, Higher Ground Labs announced its first cohort of companies it was investing in. [D1637] The cohort included Mobilize and Ground Game.
 - Ground Game was founded by Gerard Niemira with his colleagues from Hillary for America. Ground Game would later be renamed Groundbase, then acquired by Acronym in January 2019, then renamed Shadow, then divested and renamed BlueLink, then finally acquired by Civitech in 2022.
 - On 4/4/2018, Higher Ground Labs announced their second cohort, which included New/Mode. [D1638]
1209. Mobilize and New/Mode exploited OSDI by claiming OSDI compliance, but their API definition obscures which parts of the API are OSDI and which are proprietary. The effect of this is Mobilize and New/Mode gained a head start by leveraging the OSDI ecosystem. However, when developers invest their resources implementing connectors for these APIs, they are not reusable to connect with other OSDI compliant systems because they will be tied to the proprietary parts of the APIs, and are thus locked in.
1210. This behavior is similar to Microsoft's behavior in Sun v. Microsoft related to Java APIs.
1211. Civitech also benefited from the proceeds of Defendants' racketeering, but took a different approach and used a shell game to conceal it.



OSDI Shell Game

IV.E.5.b Timeline

- 12/11/2013, Via email to Plaintiff [D1991], Woodhull shares his plan to seek funding from VC New Media Ventures to build a "universal adapter." From this point, Plaintiff is an obstacle to the interests of venture capitalists.
- 12/08/16 Plaintiff emails Kevin Jennings, the Executive Director of the Arcus Foundation and was former Deputy Undersecretary in President Obama's administration, laying out out a plan to protect the external network effect. [D1634]
- 1/24/2017 Kevin Jennings resigns from Arcus Foundation. Plaintiff receives email from Rodrigo Aguiar, Jennings's assistant stating "Kevin is no longer part of the Arcus Foundation" [D890]
- 5/04/2017 RagTag joins OSDI [D1999] and would serve as a proxy for Higher Ground Labs
- 5/09/2017 Sonya Reynolds/Colibri joins OSDI [D1998] and would serve as a proxy for The Movement Cooperative
- 5/25/2017 Vox news reports on the founding of Higher Ground Labs in early 2017 stating "Higher Ground Labs is a new attempt by some of former President Barack Obama's digital aides" [D1599]
- 08/02/17 Higher Ground Labs announces its initial cohort including Gerard Niemira's Groundbase and Mobilize [D1637]
- 8/15/2017 After being introduced by Brady Kriss/RagTag, who saw OSDI as a way to get funding, Plaintiff meets with Reid Hoffman's political director, Dimitri Mehlhorn and refuses funding.
- 10/17/2017 Nathan Woodhull states he had a long conversation about "profit and purpose" with Steve Anderson, New/Mode's founder. [D592] Woodhull is connected to the HGL cohort.
- 05/01/18 Mobilize publishes its API which cites OSDI compliance. "OSDI is an exciting and important attempt to bring interoperability to the progressive data ecosystem, a cause we heartily support. However, there are a number of data model and format constraints of OSDI that made it a less than perfect fit for us and our consumers. While we have opted not to follow strict OSDI formats for our API responses at this stage, we have made our best effort to align field names and structure where possible." [D1320]
- 01/17/19 Shadow publishes blog post [D1311] "Introducing The Shadow Party" which outlines what would become Lightrail.
- 1/17/2019 Acronym acquired Groundbase [D1571] and renamed it "Shadow"

- 01/17/19 Tara McGowan, a leader at Acronym refers to shadow's product on Twitter: "system that automatically syncs data between a volunteer management platform and SMS tool..." [D1372]
- 02/27/19 New/Mode publishes its API which cites OSDI compliance. [D711]
- 07/12/19 Netroots Nation 2019 takes place in Philadelphia July 11-13. On 7/12, Niemira hosts a session: "DON'T PUT DIGITAL IN THE CORNER: WHY EVERY DEPARTMENT SHOULD BE USING DIGITAL TOOLS AND TACTICS" [D1648]
- 07/22/19 1:33pm Gerard Niemira tweets about the release of Lightrail the previous week while he was at Netroots Nation 2019. "Last week we launched Lightrail and Shadow Messaging. Learn more about why we built a universal adapter for political data and technology" [D1651]
- 07/14/20 Vox News reports "The Democratic Party's most hated startup can't change what happened in Iowa. But it can change its name". Shadow/Lightrail is divested from Acronym and renamed Bluelink. Niemira leaves Bluelink and is replaced by Irene Tollinger. [D1202]
- 12/03/20 Chris Goddard, an engineering and reporting director at the DCCC emails Plaintiff asking "I would really love the opportunity to talk to you about your experience in creating [OSDI]" [D391]
- 1/11/2021 An issue is opened on OSDI's GitHub repository, where Jason Rosenbaum states "this project is somewhat defunct" [D532]
- January 2021 According to LinkedIn, Gerard Niemira begins employment at PDI serving as Chief Product Officer. [D1377]
- 2/8/2021 The GitHub conversation continues, with Joe McLaughlin stating "Unless and until you make a clean break from the OSDI project and the organization, such as it exists now, and I'm not sure that it does exist, I have little reason to believe that any additional organizations will implement any of the OSDI spec." [D531]
- February 2021 According to LinkedIn, Chris Goddard begins employment at PDI serving as Senior Product Manager. [D534]
- 05/11/21 Civitech announces that it acquired Alloy, Reid Hoffman's voter file project. [D1979]
- 06/21/21 Higher Ground Labs announces their 2021 cohort including Bluelink. [D1335]
- 08/12/21 Bluelink's infringement becomes discoverable. [D1252]
- 01/12/22 Reported by Axios, Civitech raises \$10 million in funding from Higher Ground Labs. [D1961]
- May 2022 According to LinkedIn Chris Goddard leaves PDI. [534?]
- June 2022 According to LinkedIn, Gerard Niemira leaves PDI and joins Higher Ground Labs as "Managing Director, Fund IV" [D1377]
- 06/17/22 Civitech acquires Bluelink. [D1562]
- 08/16/22 2:15pm Nathan Woodhull posted on Twitter that he was "Launching something new! Daisychain is an organizing platform that integrates the political tech stack". Woodhull founded DaisyChain with Jon Warnow. [D1907]

- 07/06/23 As Higher Ground Labs Managing Director Gerard Niemira announces its 2023 cohort including DaisyChain [D1949]

IV.E.5.c Selected Quotations

1212.  News ⓘ 08/02/17 "Announcing Higher Ground Labs \$1.5M initial investment in our inaugural cohort - Higher Ground Labs" [D1637]  Higher Ground Labs

1213.  [D1637]

Higher Ground Labs, the leading innovative incubator and accelerator for progressive political and campaign technology, has deployed nearly \$1.5 million to 10 groundbreaking companies that will begin supercharging progressive campaign technology.


1214.  [D1637]

GroundGame is an opinionated technology platform for campaigns and causes to organize their voters, volunteers, and donors. The core platform is a voter, volunteer, and donor CRM, armed with organizing tools (1-to-1 SMS and email, tools for door knocking and calls, etc) and an API that connects to other platforms. GroundGame empowers campaigns of any size, from the smallest to the largest.

1215.  [D1637]

Mobilize America is built to help elect Democrats to state government. To achieve new levels of volunteer engagement, Mobilize America combines a robust two-sided marketplace to connect volunteers and campaigns, with a scaled digital grassroots organizing program. The model is being developed in Virginia's 2017 house elections, and will deploy for competitive states nationwide in 2018.

1216. According to Github, Mobilize published their API on or before 5/1/2018, which cites it's OSDI compliance.



1217.  Specification ⓘ 05/01/18 "mobilize api README md at a8886412746dbe5fe83c8c13784f6881480cb593 mobilizeamerica api" [D1320]

1218.  Mobiliza Github [D1320]

OSDI is an exciting and important attempt to bring interoperability to the progressive data ecosystem, a cause we heartily support. However, there are a number of data model and format constraints of OSDI that made it a less than perfect fit for us and our consumers.

While we have opted not to follow strict OSDI formats for our API responses at this stage, we have made our best effort to align field names and structure where possible. For example, many of the Event fields map directly onto OSDI field names. We hope this will make the job of anyone attempting to build an OSDI layer on top of our API easier.

IV.E.6 Shadow Lightrail / Bluelink

1219.  Web Page ⓘ 10/02/19 "Whats New in Shadow ?: October 2019,Whats New in Shadow ?: October 2019 | by Shadow Inc. | Medium" [D1311]  Medium

1220.  Gerard Niemira, Acronym [D1311]

ACRONYM is thrilled to announce the launch of Shadow, a new technology company that will exist under the ACRONYM umbrella and build accessible technological

infrastructure and tools to enable campaigns to better harness, integrate and manage data across the platforms and technologies they all use.

1221.  G. Niemira [D1311]

I co-founded Groundbase (formerly called GroundGame) in 2017 with a few of my colleagues from the Hillary for America campaign where we built tools for HFA's field team.

1222.  G. Niemira [D1311]

But by marrying Groundbase with ACRONYM's digital communications and advertising expertise, Shadow will also focus on... to better integrate across platforms and organizations.

1223.  Tweets  01/17/19  11:20a "acronym acquire groundbase shadow" [D1571]

1224.   Acronym Twitter  11:20a [D1571]

Some news this morning We've acquired SMS tool Groundbase and are launching Shadow, a company focused on building the technology infrastructure needed to enable Democrats to run better, more efficient campaigns

1225.  Tweets  01/17/19  2:44p "Tara McGowan on Twitter With Shadow we're building a new model incentivized by adoption over growth" [D1372] 

1226.   taraemcg  2:44p [D1372]

With Shadow, we're building a new model incentivized by adoption over growth, with a deep focus on building the underlying tech infrastructure that will enable campaigns to use the most effective new tools in smarter ways & better integrate + leverage data across platforms.

1227.   taraemcg  2:46p [D1372]

For example, imagine a system that automatically syncs data between a volunteer management platform & SMS tool, and then moves the data to where it needs to go when it needs to go there, saving campaign organizers hours of manual data entry & reducing risk of mistakes.

1228. On 2/27/2019, New/Mode announced it's API, citing OSDI compliance:

1229.  Web Page  02/27/19 "New/Mode Platform OSDI" [D711]

1230.  [D711]

The New/Mode API is a fully RESTful API that allows developers to query Organization, Campaign, Tool and Service data, and to perform target lookups and actions against your tools.




The API is OSDI compliant and all responses are available in HAL/JSON or JSON formats.

1231. Lightrail launched during Netroots Nation 2019

1232.  Conference Session  07/12/19  2019-07-12 4:30pm "DON'T PUT DIGITAL IN THE CORNER: WHY EVERY DEPARTMENT SHOULD BE USING DIGITAL TOOLS AND TACTICS" [D1648]  ;  Netrootsnation

1233.   netrootsnation  4:31p [D1648]




GERARD NIEMIRA Gerard is an experienced product and engineering leader with over 12 years of work in the nonprofit and political sectors. Most recently, he led product teams at Hillary for America, where he was Director of Product for the campaign's suite of organizing, events, and major donor fundraising tools.

1234.  Tweets  07/22/19  2019-07-22 1:33pm "Shadow Inc on Twitter Last week we launched Lightrail and Shadow Messaging Learn more about why we built a universal adapter for political data and technology" [D1651]  Twitter

1235.   Gerard Niemira, Shadow  1:33p [D1651]

Last week we launched Lightrail Shadow Messaging. Learn more about why we built a universal adapter for political data and technology.




1236. In 2020, Shadow created a caucus application which, according to Grayzone, performed poorly. The article also cites the connection to Reid Hoffman and the disinformation campaigns.

1237.  News  02/06/20 "Acronym group that sabotaged Iowa caucus birthed by billionaire who funded Alabama disinformation campaign - The Grayzone" [D1498]  The Grayzone

1238.   Max Blumenthal [D1498]

Silicon Valley billionaire Reid Hoffman funded the creation of ACRONYM, the group that sabotaged the Iowa caucus results, after bankrolling voter manipulation campaigns including the notorious online "false flag operation" in Alabama's 2017 senate race.

1239. In Summer 2020, Acronym divested Lightrail and renamed it BlueLink. Gerard Niemera stepped down as CEO and replaced himself with a woman, Irene Tollinger.

1240.  News  05/08/20 "The Democratic Partys most hated startup cant change what happened in Iowa. But it can change its name." [D1202]  Vox

1241.   Teddy Schleifer [D1202]

What was once called Shadow Inc. is now called BlueLink...

1242.   T. Schleifer [D1202]
























Niemira and the company's majority investor, a constellation of progressive political groups called Acronym, became some of the most despised forces in Democratic politics after the app's technical difficulties in February delayed results for a week and robbed the caucus winners of their momentum

1243.   T. Schleifer [D1202]

But the newly rebranded BlueLink will have to accomplish this without ACRONYM, which told Recode that it decided after Iowa in February to "wind down our involvement with Shadow" and that, as of May, it is in the process of divesting from the company.

1244.   T. Schleifer [D1202]



and product executive, who Niemera said would be BlueLink's chief operating officer. But just a few months later, on BlueLink's newly designed website, it is Tollinger listed as CEO with Niemera not listed anywhere on its "Team" page. Tollinger confirmed to Recode on Tuesday that Niemera had stepped down and that she had taken the CEO role.

1245.  T. Schleifer [D1202]
integrating data for campaigns neatly into one place... the data work called LightRail going forward.
1246. On December 3, 2020, Plaintiff received email from Chris Goddard a DNC (DCCC) employee, requesting a meeting to discuss OSDI. Goddard asks "I would really love the opportunity to talk to you about your experience in creating it"
1247.  Email Subject  12/03/20  2020-12-03 11:58am "Questions about OSDI" [D391*] 
Chris Goddard
1248.   Chris Goddard, DCCC  11:58a [D391]
Hi Josh, My name is Chris Goddard and I'm currently the data engineering and reporting director at the DCCC.
I was talking to a friend yesterday about difficulties and challenges in the progressive tech space and the lack of consistent data standards. He mentioned OSDI, which I hadn't heard of before.
1249.   C. Goddard  11:59a [D391]
Although it looks like it's not really a super active project anymore I would really love the opportunity to talk to you about your experience in creating it.
1250.   C. Goddard  11:59a [D391]
Would you have time for a 30 minute zoom call tomorrow afternoon or early next week?
1251. Plaintiff found Goddard's email suspicious, and believed some relevant event must have prompted DNC to email Plaintiff. Plaintiff began searching. Plaintiff then discovered Action Network's announcement of it's Partner Integration Program.
1252. On 5/11/2021, Civitech announces that it has acquired Alloy, Reid Hoffman's voter file project.
1253.  News  03/01/23 "Civitech Acquires Alloy Data and Technology,Civitech Acquires Alloy Data and Technology - Civitech" [D1979]  Civitech
1254.  [D1979]
Civitech incorporates Alloy products to continue to power progressive campaigns to victory.
1255. In June 2021, Bluelink received a funding investment as part of Higher Ground Labs 2021 cohort.
1256.  Web Page  06/21/21 "Announcing our 2021 cohort - Higher Ground Labs" [D1335]  Higher Ground Labs
1257.  [D1335]
The mission of Higher Ground Labs is to promote and support constant innovation for a better democracy. Over the past four years, we have invested in companies that have become core infrastructure for progressive politics.
1258.  [D1335]

BlueLink lets non-technical users easily set up data flows between tools so their campaigns and groups can automatically run processes like registering voters or thanking donors saving time and money for strategic work while using context to improve the voter/supporter experience. For software teams, BlueLink reduces integration costs so they can focus on products not pipes.

1259. Higher Ground Labs' Website portrays the Tollingers as founders.

1260. On 08/12/21 Higher Ground Labs posted blog post by Acacia Gabriel interviewing Irene and Preston Tollinger. [D1536] Irene is asked "Tell us more about why you started your company and its mission". Her answer includes "I did user research and talked to a broad range of people in the political world. They kept mentioning data integration".

1261.  Web Page  08/12/21 "Meet Irene and Preston - Higher Ground Labs" [D1536] 
Higher Ground Labs

1262.  ACACIA GABRIEL, HGL [D1536]

For software teams, BlueLink reduces integration costs so they can focus on products not pipes. We asked founders Irene Tollinger and Preston Tollinger to share a little bit more about their vision for BlueLink...

1263.  A. GABRIEL [D1536]

Tell us more about why you started your company and its mission

1264.  Irene Tollinger [D1536]

I knocked on doors in 2018 and knew I couldn't sit out the 2020 election. I did user research and talked to a broad range of people in the political world. They kept mentioning data integration. It was an issue for organizers who downloaded, munged, and uploaded text files. It was an issue for engineering teams whose time was pulled off their core product. It was an issue for my friends who donated money and then still got calls asking if they supported the candidate.


1265. **Disparate Impact** On August 12, 2021, a Q&A is posted on Higher Ground Labs's website, which portrays Irene and Preston Tollinger as founders, even though the technology is Lightrail, developed by Shadow and Gerard Niemera.

1266. **Wire Fraud** Tollinger's answer falsely states the origin of the BlueLink product, which in reality was Lightrail created by Gerard Niemira.

1267. Also on August 12th, 2021, BlueLink's infringement becomes discoverable. Plaintiff discovered this in November 2021 while listening to an episode of the Great Battlefield Podcast, interviewing BlueLink, which mentioned open source project Parson. Plaintiff examined the Parson source code and found a BlueLink connector.

1268.  Web Page  08/12/21 "Add blueLink connector by kupad * Pull Request #1 * BlueLinkData/parsons" [D1252]  GitHub



1269. Further diligence on Plaintiff's part revealed a URL to BlueLink's API specification.

1270.  Github  11/17/21  2021-11-17 "BlueLink API Specs (BETA), BlueLink API Specs (BETA) | docs" [D1192]  docs

1271.  12:00p [D1192]

BlueLink Data Models

Bluelink uses flexible and verbose data models. All fields are nullable and may be omitted if no data exists, unless explicitly stated otherwise. The structure may seem complicated for simple use cases, however it supports more complicated uses such as systems supporting multiple emails for a single individual.

1272.   12:00p [D1192]

By Default, Bluelink writes data to partners in these formats. For partners with existing APIs (e.g., NGPVAN), we can easily and correctly convert between their format and ours. Therefore, we strongly encourage new partners to use these formats when building new APIs

1273.   12:30p [D1192]

updated_min: The inclusive minimum "updated date" timestamp in ms. Records updated before this timestamp are not included. If omitted, there is no min updated date filter, effectively time0
fields: a comma separated list of fields to return for people matching

1274. Bluelink's API is essentially OSDI Person Signup Helper. See section _Violations / Bluelink's Infringement for elaboration.

1275. In January 2022, Civitech raised \$10 Million in funding led by Higher Ground Labs.

1276.  News  01/12/22 "Progressive data startup Civitech raises \$10M" [D1961]

1277.   Sara Fischer [D1961]

Last year, it acquired the data and technology from the now-defunct progressive data startup Alloy

1278.   S. Fischer [D1961]

Civitech, a public benefit corporation building data tools for progressive candidates and causes, is raising over \$10 million in a series A funding round led by Higher Ground Labs,

1279.   S. Fischer [D1961]

The round values Civitech at \$50 million, executives tell Axios.





1280. By June 2022, Bluelink was acquired by Civitech.

1281.  Web Page  06/17/22 "Bluelink" [D1562]

1282.  [D1562]

At Bluelink, our mission is to build political power for the progressive movement by developing affordable and easy-to-use tools for teams and budgets of any size.

1283. On 8/16/2022 Nathan Woodhull posted on Twitter that he was "Launching something new! Daisychain is an organizing platform that integrates the political tech stack". Woodhull founded DaisyChain with Jon Warnow.

1284.  Tweets  08/16/22  2022-08-16 2:15pm "Nathan Woodhull on Twitter Launching something new" [D1907]  Twitter

1285.   Nathan Woodhull  2:15p [D1907]

Launching something new! Daisychain is an organizing platform that integrates the political tech stack so campaigns can have authentic conversations when they matter most.

1286.   N. Woodhull  3:44p [D1907]

We're aspiring to integrate with just about everything, but we're prioritizing by integrating with the tools early folks are interested in.

1287. On 7/6/2023 Higher Ground Labs announced their 2023 Accelerator Companies, which included DaisyChain. Woodhull initially sought venture capital from New Media Ventures in 2013 to build an integration platform, which would not have been a viable business with OSDI's external network effect in place.

1288.  Email Subject  07/06/23  2023-07-06 12:04pm "Announcing our 2023 Accelerator Companies"  [D1949*]  Gerard Niemira

1289.   Higher Ground Labs Gerard Niemira  12:04p [D1949]

With a sharp eye toward 2024, Higher Ground Labs is proud to introduce you to eight promising startups pushing political tech to new heights.

1290.   H. Ground  12:04p [D1949]

Daisychain is a modern toolset that helps progressive organizations engage their audiences through personalized outreach, powerful workflows, and seamless integrations.

V VIOLATIONS

V.A Robbery by Extortion

V.A.1 Conspiracy to Commit Extortion

V.A.1.a Overview of Extortion

1291. Defendants conspiracy to commit extortion began at least as early as 2016. The Data Breach and DNC favoritism for Hillary Clinton set the stage for a post-election data war. Defendants knew this was coming and that the window to gain dominant control over the economy of scale known as OSDI was going to close.

1292. Due to Defendants' misleading, Plaintiff was unaware of the formation of Venture Capitalists Higher Ground Labs by the Obama cohort, and funded by Dimitri Melhorn, Reid Hoffman's political director which made the extortion more aggressive.

1293. Defendants extortion threats were:

1. That they would conceal his sexual orientation (gay), and frame him as an example of sexual harassment and violence towards women.
2. That they would use fear, exploiting Plaintiff's vulnerabilities to induce responses they would misrepresent by combining grains of truth, lies of omission, and outright fabrications.

3. That they would falsely portray Plaintiff as guilty of what Defendants were doing or would do to Plaintiff, as a show of dominance.

1294. Framing Gay, Transgender, Black, or Muslim men as examples of sexual harassment and violence towards women incites hatred toward othered sexualities, which creates a foreseeable risk of inciting violence or homicide. Since sexual orientation is invisible, and Defendants concealed it, they were able to get away with a dangerous robbery by extortion in plain sight.
1295. Between 2016 and 2020, Defendants used the danger, hatred, animus they were inciting to try to coerce or trick Plaintiff into abandoning his property rights.
1296. Phase 1
1297. To do this, Brian Young, Jason Rosenbaum, and Nathan Woodhull used women as proxies, including Beth Becker, and their friend and former Action Network employee Robyn Swirling.
1298. In parallel, people within the gay rights movement including Kevin Jennings Executive Director of the Arcus Foundation, one of 2 dominant funders of the gay rights movement, Mike Rogers, Jamie McGonnigal, conspired to ensure there was "no way out" for Plaintiff, forcing him to either endure an intolerable and dangerous extortion, or surrender his property rights.
1299. Proxy Beth Becker lured Plaintiff by inducing fear of his ex-boyfriend, Greg Rae, telling Plaintiff that Greg's name was already on a list of abusive men within the community and that she knew at least one other supposed victim of Greg's. This scared Plaintiff enough that he sought safe harbor.
1300. Chat 07/25/16 2016-07-25 3:40pm "GChat between Josh Cohen, Beth Becker" [D1570]
1301. Josh Cohen 3:40p [D1570]
checking in, is there a discussion list being started after the NN rape culture sessionn
1302. Beth Becker 3:40p [D1570]
i think so but im not in charge...thats robyn and sabrina and likely not til after convention
1303. J. Cohen 3:42p [D1570]
also, my head is spinning a bit from our conversation, just to double confirm, the name that was already on the list is Greg Rae, right?
1304. B. Becker 3:42p [D1570]
yes
1305. J. Cohen 3:43p [D1570]
so should I send you an intro email blurb to send to the other victim(s) asking to connect thta you can forward?
1306. B. Becker 3:44p [D1570]
not til next week..super underwater tryng to get ready to go to mexico tomorrow night

1307.  J. Cohen 3:44p [D1570]

| ok, set it for next week

1308.  B. Becker 3:47p [D1570]

| will do...gotta run...talk soon

1309. The leaders of the group were Robyn Swirling and Sabrina Stevens. Brian Young was present on the group, his name is in the attendance list, but he did not participate in the introductions thread. Had he done so, Plaintiff would have recognize this racketeering scheme as an Action Network ploy to gain control of OSDI.

V.A.1.a.1 The Policy Issue

1310. The workplace policy group seemed like a safe space, as well as an opportunity to define workplace policies to deal with the "same sex" versions of sexual misconduct, retaliation and profiteering.

1311. These require different calibrations than "trust women", "man's side doesnt matter", or "number of accusations == guilt" for obvious reasons, especially when profit, bigotry and retaliation are present as motives for fraudulent accusations.

1312. Defendants racketeering activity illustrates the problem.

1313. **Disparate Impact** Defendants exploited Disparate Impact created by the #metoo moment, which elevates gender above other protected classes, allowing Defendants to apply "the man's side doesn't matter" to a gay male's property, contract and civil rights.

1314. **Profiteering** By making Plaintiff fear his ex-boyfriend, Defendants were deliberately instigating a conflict where Plaintiff was on the weaker side of a large power disparity, attempting bait responses from Plaintiff, they created potential danger. This created an opportunity for Defendants to benefit by currying favor with wealth and power.

1315. **Same Sex Retaliation** In same sex situations, those at the top of a power disparity can provide incentives for proxies to make fraudulent accusations to destroy the weaker party.

1316. **Extortion Threat** It was in the context of this policy argument that Defendants' proxy, Swirling, threatened to expose Plaintiff's participation, concealing the true reason for his presence (his fear of his ex-boyfriend), and portray him as an example of sexual harassment and violence towards women by brandishing what appeared to be a draft of an open letter to the community.

V.A.1.a.2 False Flag

1317. Since follow through created a foreseeable change of inciting violence against him, Plaintiff warned Defendants' proxy, Swirling, that Plaintiff would defend himself using the legal system if they followed through, but in parallel sought to have a dialog about why their actions were wrong and dangerous at Rootscamp 2016.

1318. Plaintiff also sought help from the Gill Foundation, as well as Arcus Foundation, the two dominant funders of the gay rights movement. However, their actions, which ensured no one came to Plaintiff's aid, served the interests of the big gorillas, VCs, and fundraisers

seeking Reid Hoffman's money.

1319. At Rootscamp 2016, unaware that he was being lured into an ambush, Plaintiff attempted to have a dialog by attending the next session on the topic. While sitting quietly waiting for an opportunity to politely raise the issue, Defendants' proxy Swirling announced to the room that "A man has entered the room who has engaged in repeated violence, persistent harassment against women, and invaded our (women's) spaces!"

1320. These false accusations, which were gross distortions of a verbal policy argument on the WOV group, resulted in Wellstone asking Plaintiff to "cede the physical space" to women, resulting in him being excluded from the OSDI session the following day.



Rootscamp Ambush

1321. **The two verbal policy arguments, on the WOV google group and at Rootscamp 2016, are the only interactions Plaintiff has had with Swirling except for the Court Supervised Settlement conference with Judge Gorenstein.**

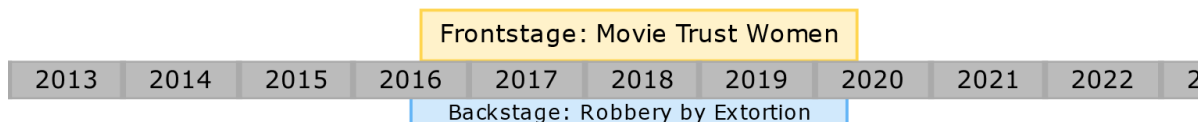
1322. **Extortion Property** While absent during the OSDI session, a second attack took place attempting to have Plaintiff removed from his position, so that Action Network could gain dominant control.

1323. **Extortion Property** The above attempt failed, so Jason Rosenbaum insisted on invoking OSDI's escalation process in another attempt to have Plaintiff removed by attempting to incite others to make a motion to that effect, concealing their role as aggressors.

1324. **Extortion Concealment** From this point, Swirling (as proxy for Action Network) became the aggressor, essentially chasing Plaintiff with false accusations.

1325. **Extortion No Way Out** Since Defendants were using women as proxies, and they could induce the community to apply "trust women", "man's side doesn't matter", and had help from the GAY INC participants, they created a no way out situation for Plaintiff.

1326. Phase 2 of the extortion changed to a model where Defendants would try to coerce or trick Plaintiff into abandoning his IP rights, and when he refused, Defendants would use more false accusations to inflict damage to Plaintiff's business, property and safety.



Wire Fraud

1327. This allowed Defendants and their proxies to act out a movie on the front stage for the community audience while concealing a robbery by extortion on the back stage.^{1037sd}

V.A.1.b Overview of Extortion Tactics

1328. Defendants extortion involved parallel conduct and use of proxies. Defendants divided the elements of the violation across people operating in parallel, and and chronologically staggered the onset of the elements.

1329. In parallel, different individuals did the following

- Inflict unjust harm to or endanger Plaintiff's business, property, economic viability and safety
- Make a property demand or attempt to coerce or defraud Plaintiff
- Create a fig leaf to conceal the coercion
- Make sure Plaintiff could not escape the harm

1330. Acts which were property demands, attempts to trick Plaintiff into abandoning his IP rights (RagTag, Colibri), were often voiced by women, or portrayed as actions for women to put their touch on the project or empowering women.

1331. By using proxy Swirling to voice the most harmful and dangerous false accusation, Defendants used that as a pretext to overtly bully and coerce Plaintiff, portraying themselves as protecting women. This gave the straight men who were exploiting Plaintiff a pretext to be overt without looking homophobic. A dangerous example was retaliation against Plaintiff's diligence at Netroots Nation 2019, where a stranger accosted Plaintiff on the sidewalk in front of other attendees terrorizing Plaintiff with statements like "You're Josh Cohen, you sexually harass women!"









1332. Once Defendants and their proxies gained control of OSDI, When Plaintiff was unwilling to vote for, or agree to their proposals which would facilitate misappropriation, he was falsely portrayed as sexist or subjected to other false accusations.

1333. Defendants used Fraudulent Concealment, Active Misleading, and Warehoused their Infringement to escape the 4 year Federal Statute of Limitations.

1334. Defendants used those to chronologically stagger the acts of Proxies (Colibri, Ragtag, Broadstripes) so their predicate acts and participation in the conspiracy would end over 4 years agoby the time Plaintiff discovered facts needed to support claims to bring this complaint forward.

V.A.2 Conspiracy to Commit Extortion Instances

V.A.2.a HRC Founder and DNC Donor Terry Bean Arrested

1335. In November 2014, DNC donor and HRC founder Terry Bean was arrested.
1336.  News ⓘ 11/10/14 "Terry Bean arrested on sex-crime charges,Terry Bean arrested on sex-crime charges | News | portlandtribune.com" [D1982]  PortlandTribune.com
1337.  ⓘ Peter Wong, theportlandtrib [D1982]
- Terry Bean, a Portland real estate developer and a prominent champion of the Democratic Party and gay rights, has been arrested on pending charges of sex crimes.
1338. Plaintiff forwarded the above news article regarding this to listserv InsidersOut, which is a coordination point within the gay rights movement.
1339. This triggered a 127 page thread where many criticized the way Gay Rights fundraisers behaved to protect wealth and power. Plaintiff experienced anger and a visit from an emissary of Terry Bean named Phil Attey.
1340. Plaintiff painted a target on his back.
1341.  Email Subject ⓘ 11/20/14 ⓘ 2014-11-20 3:57pm "Terry Bean arrested on sex-crime charges" [D1251*]  Josh Cohen
1342.  ⓘ 3:57p [D1251*]
- Terry Bean arrested on sex-crime charges
1343. One particular target of criticism was the way Gay Inc attempted to discredit a witness by using racist, classist and mental health smears:
1344.  News ⓘ 11/26/14 "Terry Bean's creepy (ex) boyfriend Kiah Loy Lawson" [D1577]
1345.  [D1577]
- Terry Bean's creepy (ex) boyfriend Kiah Loy Lawson

V.A.2.b Netroots Nation 2016

1346. In Summer 2016, Defendants exploited a vulnerability to induce fear and lure Plaintiff onto the Working Our Values policy working group Google Group. Once on the group, Defendants baited conflicts to induce responses from Plaintiff that they could misrepresent.

V.A.2.c Working Our Values Policy Group

1347. Defendants' extortion began when Plaintiff exposed a vulnerability, that he was on the weaker side of a power disparity between himself and his ex-boyfriend, Greg Rae.
1348. At Netroots Nation 2016, Beth Becker told Plaintiff that his ex-boyfriend's name was

already on a list of abusive men within the community, and that she knew at least one other supposed victim of abuse by Plaintiff's ex-boyfriend.

1349. This scared Plaintiff, who didn't want anything to do with the ex-boyfriend, or for any conflict to arise which might provoke the ex-boyfriend, invite retaliation or profiteering. Profiteering is when people instigate conflicts to create opportunities for themselves to profit by doing a favor for wealth and power.

1350. Beth Becker suggested Plaintiff attend a session on this topic at Netroots Nation 2016. Plaintiff saw this as a safe harbor. Plaintiff then joined a google group, that was advertised as a workspace policy recommendations working group for industry conferences including Netroots Nation.

1351. Defendants exploited Plaintiff's fears, by positioning themselves as protectors. If not for this ruse, Plaintiff would have no need for a safe harbor, been unaware of the session, nor would he known who Robyn Swirling was.

1352.  Sms  07/16/16  2016-07-16 2:28am "Chat with Beth Becker" [D1608]




1353.  Josh Cohen  2:28a [D1608]

| Since names are passd along, my perp was greg rae

1354.  J. Cohen  2:53a [D1608]

| Fyi if the other person or people who mentioned his name are willing, id like to meet them and talk

1355. Mike Rogers starts an SMS conversation inviting Plaintiff to meet for discussion.

1356.  Chat  07/16/16  12:08a "SMS Between Mike Rogers and Josh Cohen" [D375]

1357.  Mike Rogers  12:08a [D375]

| What hotel are you in ?

1358.  Josh Cohen  12:13a [D375]

| Marriott. U?

1359.  M. Rogers  12:13a [D375]

| Holiday inn

1360.  M. Rogers  12:14a [D375]

| Was going to see if ya wanted to smoke a bowl and say hey

1361.  J. Cohen  12:15a [D375]

| No thanks.

1362.  M. Rogers  12:16a [D375]

| We should chat Tomorrow catch up

1363. Plaintiff shared the information from Beth Becker with Jason Rosenbaum

1364.  Sms  07/16/16  8:04a "SMS between Josh Cohen and Jason Rosenbaum" [D109]

1365.  Jason Rosenbaum, Action Network  1:13p [D109]

Wow

1366. [D109] Josh Cohen 1:13p

I went to the rape culture session yesterday and after was talking privately to folks who got angry after fitzgibbon. They were so p****d that they started keeping a list of abusers in the movement. I decided to mention my abusers name to one of them. Their reply: that name is already on the list.

1367. [D109] J. Rosenbaum 1:14p

I guess not surprising. Buy still. Yeah

1368. [D109] J. Cohen 1:14p

yeah. IM NOT CRAZY!!!

1369. Mike Rogers continues an SMS conversation inviting Plaintiff to meet for discussion.

1370. [D375] Josh Cohen 9:55p

Sup

1371. [D375] Mike Rogers 10:00p

Heading back to the holiday inn

1372. [D375] J. Cohen 10:01p

Ill meet you there

1373. [D375] M. Rogers 10:08p

345

1374. [D375] M. Rogers 10:08p

Room

1375. [D375] J. Cohen 10:18p

At front outside

1376. **Extortion Property Demand** Plaintiff met with Mike Rogers just after 10pm, shared the information provided by Beth Becker and his fears. In exchange for helping Plaintiff by preventing the situation from becoming more dangerous, Mike insisted that Plaintiff needed to make Mike Rogers fiscal sponsor of OSDI.

1377. Plaintiff refused.

1378. **Extortion Fear** Beth Becker confirms what she told Plaintiff regarding his ex-boyfriend.

1379. [D1570] Chat 07/25/16 2016-07-25 3:40pm "GChat between Josh Cohen, Beth Becker"

1380. [D1570] Josh Cohen 3:40p

checking in, is there a discussion list being started after the NN rape culture sessionn

1381. [D1570] Beth Becker 3:40p





i think so but im not in charge...thats robyn and sabrina and likely not til after convention

1382. [D1570] J. Cohen 3:42p

also, my head is spinning a bit from our conversation, just to double confirm, the name that was already on the list is Greg Rae, right?

1383.   B. Becker  3:42p [D1570]

yes

1384.  Email Subject  07/25/16  9:26p "You have been added to WOV: HR working group" [D1704**]  WOV: HR working group






1385.   Robyn Swirling  9:26p [D1704]

Hi Josh Cohen, Robyn Swirling added you to the WOV: HR working group group. Message from This is the working group for creating HR systems and policies to address sexual harassment and assault in progressive organizations. This is a sub-group of the Working Our Values group. About this group: This is the working group for creating HR systems and policies to address sexual harassment and assault in progressive organizations. This is a sub-group of the Working Our Values group. Google Groups allows you to create and participate in online forums and email-based groups with a rich community experience. You can also use your Group to share documents, pictures, and calendars invitations.

V.A.2.d DNC 2016 Convention





1386. At the DNC 2016 convention, Plaintiff sought help from Kevin Jennings, Executive Director of Arcus Foundation, one of two dominant funders of the gay rights movement.

1387. Plaintiff attended the Equality Forum panels at DNC 2016 Convention, including one which included Kevin Jennings as a panelist.

1388.  Conference Session  07/28/16  2016-07-28 2:30pm "Event Future of the Movement Equality Forum" [D1980]  Equality Forum;  Equality Forum

1389.   E. Forum  2:30p [D1980]

Kevin Jennings (Panelist) Executive Director Arcus Foundation
Kevin Jennings is a distinguished educator, social-justice advocate and author. In the Obama administration, Jennings served as assistant deputy secretary of education and headed the department's Office of Safe and Drug-Free Schools, where he led the anti-bullying initiative. He joined the Arcus Foundation, which is dedicated to social and environmental justice, as executive director in 2012.

1390.  Email Subject  08/09/16  2016-08-09 10:00am "followup from Equality Forum" [D892**]  Josh Cohen

1391.   Josh Cohen  10:00a [D892]

Hi Kevin, It was nice meeting you at the EqForum Panel in Philly. I was exceptionally impressed with your response to the rape culture question! As we discussed, it makes sense to continue the dialog... I run OSDI, opensupporter.org which is a data standard to make integration between tools and services progressive customers use. I've finished a more reusable and greatly expanded version of the toolset we built at Washington United for Marriage. Now I'm piloting it with some progressive campaigns. So it would be great hear thoughts from someone with your perspective on how I might most effectively contribute to the cause.

1392.   Kevin Jennings  10:02a [D892]

Hi josh:

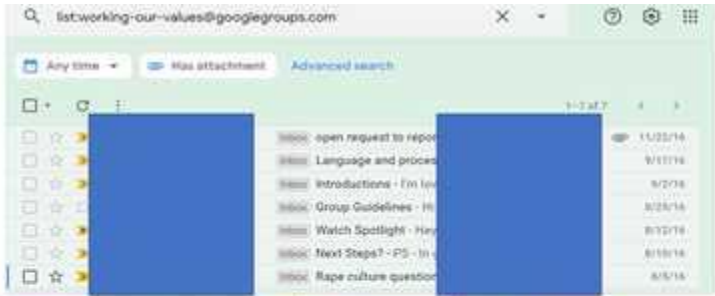
I will have Rodrigo find us a half hour when you can come by the office. FYI I am traveling a ton so it may be a bit!

1393.   Rodrigo Aguiar  2016-08-11 9:53am [D892]

Hi Josh,
Thank you for your patience.
Would you be available on Oct 25 at 3:30 pm for a meeting with Kevin at Arcus?
If so, I will be happy to send a calendar invite.
Thank you!
Rodrigo

1394. Kevin Jennings repeatedly rescheduled the meeting through January 2017.

1395. During Plaintiff's membership on the WOV Google Group, the following threads occurred.



Working our Values threads prior to being kicked off	Initiator	start date
You have been added to Working Our Values	Google Groups	Mon, Jul 25, 2016 at 9:07 PM
Rape Culture question asked at equality foundation	Josh Cohen	Thu, Aug 4, 2016, 1:44 PM
Next Steps	Josh Cohen	Wed, Aug 10, 2016, 7:22 PM
Watch Spotlight	Josh Cohen	Fri, Aug 12, 2016, 7:31 PM
Introductions	Robyn Swirling	Thu, 25 Aug 2016 08:54:16
Group Guidelines	Robyn Swirling	Thu, 25 Aug 2016 08:54:28
Language and process for sexual harassment	Robyn Swirling	Wed, Sep 14, 2016, 2:02 PM
Open request to report	Josh Cohen	Sat, Sep 17, 2016, 4:44 PM

Email Threads on WOV

1396. The leaders didn't kick off the group until 30 days after Plaintiff had been added. With no other activity on the list, Plaintiff posted 4 threads that were LGBT related content.

1397. The leaders kicked off the google group on August 25, 2016. Both Brian Young and Beth Becker were present on the WOV group.

1398. Though Brian Young was present on the list, and in the membership list, he *did not* participate in the introductions thread. Had he done so, Plaintiff would have recognized him and that this was an Action Network scheme to gain control of OSDI.

Introductions

18 messages

Robyn Swirling

Thu, Aug 25, 2016 at 11:54 AM

To: Working Our Values <[REDACTED]>

Hi folks,

Thank you all so much, again, for participating in our Living Our Values, Working Our Values session at Netroots Nation last month. Some of you weren't able to make it to the session, but requested to be part of the ongoing conversation and work - welcome.

Now that our team - Sabrina Stevens [REDACTED] and I - have had a chance to debrief from that session and talk about the work of ending sexual harassment in our movement going forward, we wanted to get started using these google groups to actually get to work.

The first things we wanted to do were establish guidelines for our work and discussions here (see the next email you'll get from me) and introduce ourselves to each other.

It's super important here that everyone be able to speak openly about often difficult topics, and that means ensuring that everyone knows who is in this group, receiving those emails. It also means making sure that everyone in this group feels comfortable with who else is in the group. So, in the interest of transparency, see below for a list of all the people who are currently on this list.

So we can all get to know each other, know where people are coming from and the spaces they move in, etc., we ask that everyone chime in to this thread with a short introduction of yourself - who are you, what movement spaces are you a part of (professionally or otherwise), and what's your interest in being involved in the work to end sexual harassment in progressive organizations?

ACTION ITEMS

1. Review below list of group members. If you have any concerns about someone who is on that list, please email me [REDACTED] Sabrina Stevens [REDACTED]

2. Introduce yourself! Who are you, what movement spaces are you a part of, and what's your interest in being involved in the work to end sexual harassment in progressive organizations?

Thank you all for being part of this. I'm really excited to get into doing this work with you.

Best,
Robyn

LIST OF ALL GROUP MEMBERS





[REDACTED]

Beth Becker
Brian Young

"Brian Young" is name #5 in member list "Beth Becker" is #4 [D92]

1399. Defendants threat misrepresented Plaintiff's motive for joining the group by concealing his sexual orientation, portraying his actions as "male dominance" and aggression towards women.

1400. This created a foreseeable chance of inciting violence or homicide to Plaintiff. Plaintiff responded by warning that he would protect himself using the legal system if necessary. However, Plaintiff also sought to resolve the conflict and the danger with dialog at the next conference, Rootscamp 2016.

1401.  Email Subject  09/14/16  2016-09-14 2:02pm "Email: Language and processes for sexual harassment at a conference" [D423]  Robyn Swirling

1402.   RS  2:02p [D423]

We have our first project as a working group!

RootsCamp is coming up in November, and the team putting together the unconference is really focused on crafting policies and procedures around sexual harassment and assault (among other issues).

We've been asked by the RootsCamp super team to propose what those policies and procedures should look like

1403.   RS  2:02p [D423]

Action: If you could have any language about sexual harassment and assault in a policy statement, or procedures for how conference organizers take and respond to reports, what would that ideally look like?

1404. Conspiracy Mary Rickles/Netroots Nation was in contact with the WOV group.

1405.   Ramira  2:02p [D423]

I contacted Mary Rickles at Netroots Nation and she directed me to their safe space policy...
I wrote back asking for info about the complaint process. I like this language in that the section on alcohol is aimed at those who might commit abuse, rather than at those who might be abused.
I'm thinking more about what I would like to see, and I'll let you know when Mary gets back to me.

1406.   Ramira  2:02p [D423]

Here is the answer I got from Mary Rickles at Netroots Nation about procedures for reporting incidents...
So there doesn't seem to be a clear process for dealing with sub-legal harassment. One past incident I remember involved Muslim women wearing hijab who were verbally assaulted by people outside the conference, and other conference attendees intervened with that.
So it would seem other incidents of sexual harassment go unreported to the conference management, for whatever reasons.

V.A.2.e WOV Policy Argument

1407. The "Language and processes for sexual harassment at a conference" thread was the primary goal of the group.

1408. Plaintiff's reason for joining the google group was the fear induced by what proxy Beth Becker told him about his ex-boyfriend and the potential for it to interfere with OSDI. Plaintiff was seeking safe harbor to prevent the abuses described in the Policy Issue section of Extortion Overview above, where the parties in conflict are either both gay men, or both lesbians.

1409. However, proxy Swirling became more aggressive in steering the conversation towards the heteronormative version and portraying plaintiff's use of the word "male" to portray Plaintiff as seeking to protect heteronormative men who sexually abuse women.

1410. That is an absurd argument since heteronormative men are far more dangerous to gay men than women. This is why gay men like Plaintiff often seek managers who are women.

1411. The policies are therefore unequal treatment for LGBTs. In the context of this community, this is a valid reason for disobedience and protest; Plaintiff's actions were within norms of the community and for a valid reason.

1412. In response to Plaintiff's pursuit of equal protection, proxy Swirling threatened to use deception to publicly.

1413.  Email Subject  09/16/16  2016-09-16 3:49pm "sidebar" [D557*]  Robyn Swirling

1414. On 9/16/16 at 3:49pm, proxy Swirling created a new email thread, where the debate continued, however it only included Plaintiff and Swirling.

1415.   Robyn Swirling  3:49p [D557]

Hey, moving this to a new thread, just so I can keep my subject lines straight.

Based on your note, it seems you're conceiving of the purpose of this group differently than I and the other leaders are. Namely, that for us it is a brainstorming space and avenue for collective work and lifting up actions, but you're looking for more of a concrete organization.

I am doing my own work at seeing what an organization that leads a new model of sexual harassment training and culture change looks like, and anticipate asking the members of this group - who have said that they want to provide support and energy around the issue with varying levels of formality or commitment - to help with that. But the workgroup itself isn't intended to be an authority or organization unto itself like with an executive committee, nor to be a body that approves policy through a democratic process.

If that's what you're interested in working on or participating in, I super encourage you to go create it! But as far as this group goes, it's not that.

I hope that clarifies the purposes and thinking around this working group in a way that helps with your approach to the discussions we have and projects we try to take on.

Additionally, we want to be sure that the breadth of experiences and backgrounds are heard and reflected within our working group. We appreciate all of your contributions so far, and your obvious passion for this work, but I'd love to encourage you to be mindful of our "step up - step back" guideline for making sure there's space in the dialogue where more voices can come through.

Best, Robyn

1416. In the course of the argument, Plaintiff used the phrase "premature to go postal" as a euphemism for protest, which is within norms of the community. At 5:32pm, Swirling confronted this language:

1417.   R. Swirling @ 5:53p [D557]

I do want to address your use of language about "going postal." That is really violent language, and while I'm sure (hoping?) that it wasn't meant as a threat, it is still very aggressive and threatening language.

1418. At 6:14pm, Plaintiff acknowledged the poor choice of language mistake, and corrected it by restated his point:

1419.   Josh Cohen @ 6:14p [D557]

going postal was a poor choice of words on my part; I should have taken more time to find better words. My point was to characterize my observation as something that was noted, but not worth digging in heels over, having a huge conflict.

1420. In the course of the debate, Plaintiff felt that Swirling's positions and rigidity were inappropriate, and decided to loop Sabrina back into the conversations, as he was uncomfortable being alone with Swirling.

1421.   J. Cohen @ 2016-09-17 7:36pm [D557]

Sabrina,

I think the positions Robyn is taking are inconsistent with working our values as well as how this effort was pitched at Netroots Nation.

1422. **Extortion Threat** On 9/18 at 5:03 PM, proxy Swirling communicated a threat to use deception which would harm Plaintiff's business, reputation, and endanger his safety. She brandished what appeared to be a draft of an open letter to the community. The letter would expose Plaintiff's participation, concealing the true reason for his presence (his fear of his ex-boyfriend induced by Becker), and portrayed Plaintiff as an example

of sexual harassment and violence towards women by

1423. It was in the context of this policy argument that Defendants' proxy, Swirling, threatened to

1424.  Email Subject  09/16/16  2016-09-16 3:49pm "sidebar" [D557*]  Robyn Swirling

The Behaviors and Comments That Inspired Us To Remove Josh Cohen From The Working Our Values Google Group

1. Indicating that you would "go postal" if you did not feel that male victims are properly welcomed and included. This is violent, threatening language which, combined with the rest of your emails and behavior actually makes me feel unsafe. In fact, I have been extra careful in my language and to come across very nice in my messages to you because the language you use is a pretty explicit threat, and I've been concerned that anything other than tiptoeing could result in actual violence.

2. The list guidelines, which were clearly sent to the entire listserv, contain the guideline that people need to "step up, step back." You have dominated list discussion above and beyond what I have ever witnessed on any listserv. Of the 7 new threads that have been started since this group was created, you have created 4 of them. And one of the ones you did not create, you still dominated discussion. After being explicitly asked to step back, you still created a new thread the next day.

4. You have repeatedly insisted on trying to change the structure of this group to meet your own needs and preferences. I was trying to be nicer about it, but I'm going to lay this out as clearly as possible now: this is the group we created. It was born out of discussions I had with friends about sexual harassment in the progressive movement, became the Netroots session we proposed and then led, and then we created the google groups to try to further the discussion and work that we started. As such, this is our project. Don't like how we're doing it? Don't participate. It's that simple. But when both Sabrina and I encouraged you to do the work your own way, since you clearly don't want to do it our way, you insisted that you don't want to do that. You've had every opportunity before now to build something. Now when we build something you decide to try to knock it down and rebuild it in the way you want?

5. Basically attempted to bribe Sabrina with \$10,000 to fund the work the group (read: you) want to do, if she would just break with me and do things the way you want. If you have \$10,000 to put towards this work, then again, go do it. It just won't be with us.

6. When you didn't get the answers you wanted from me, you tried to go around me to Sabrina. Sabrina, along with Rachel and Bridget, have been privy to our conversations from the get go, and have all expressed concerns about your behavior on and off list.

7. You also decided to loop in Beth, who has had nothing to do with these discussions, and is not involved in the leadership of this group. In sending her these emails (and I know there have been other emails as well), you are engaging in harassing behavior.

8. You have repeatedly challenged and disrespected this as a group that is led by women, and complained several times that you are being treated unfairly for being male. This is even after I made clear that the way people were responding to you was based entirely on the content of your emails and how you were coming across, and not at all to do with your gender. You whined about it being unfair that Sabrina characterized your mansplaining as mansplaining. As Sabrina said - when you're in a hole, stop digging. Do some more reading or - better yet - talk to actual women about their experiences with sexism and mansplaining. Take this opportunity where we're telling you that your behavior sucks to think about why we've reached that conclusion, and figure out how to do better.

9. There have been several complaints, since we began this list, about your behavior, comments, and dominance of the discussion. Your actions have made other list members uncomfortable, and you have stifled conversation. While you see this as us singlehandedly removing you because of petty disagreements and us not liking being challenged, in fact it's because y

1425. Distortions The assertions made in the threat are combinations of grains of truth, lies of

omissions, and fabrications.

1. Indicating that you would "go postal"

1426. Plaintiff used a poor choice of words, that was immediately corrected, while making a valid, different argument.






6. When you didn't get the answers you wanted from me, you tried to go around me to Sabrina.

1427. Plaintiff felt that Swirling's behavior was inappropriate and he was uncomfortable being alone with Swirling, who was being deceptive.

5. Basically attempted to bribe Sabrina with \$10,000 to fund the work the group (read: you) want to do, if she would just break with me and do things the way you want.

1428. Plaintiff offered funding *to the group*, not to either of the leaders. The proposal was democracy for the group, whose members were over 80% women, thus majority vote would be *her way*, not *his way*.





1429. The remaining assertions are similar distortions of a policy argument, which was within norms of the community.

1430.  Event  09/20/16  2016-09-20 2:00pm "Initial info collection, re: Gill staff" [D651]  ;
 Penny Hamilton, Gill Foundation, Gay Inc

1431.   Penny Hamilton, Gill Foundation  2:00p [D651]

Accepted: Initial info collection, re: Gill staff Tuesday, September 20, 2016 2:00 PM-2:15 PM (UTC-05:00) Eastern Time (US & Canada)

V.A.2.f Plaintiff seeks help from Gill Foundation

1432.  Email Subject  09/19/16  2016-09-19 4:18pm "Gill Foundation - HR contact info" [D739*]  Penny

1433.   Penny Hamilton  4:18p [D739]

Hello Josh,
Thank you for your call. I would like to try and schedule time with you to collect some initial information. As I mentioned, I'll be in the office today until 4:30pm, MST. Tomorrow/Tuesday, I can pretty much make anytime work after 9am. Please let me know what works best for you.
Thank you, again.
Have a safe trip.
Penny
Penny K. Hamilton | Director of Finance and Administration Gill Foundation | 2215 Market Street, Denver CO 80205 Main: | Direct: <mailto: |
www.gillfoundation.org<http://www.gillfoundation.org/> Pronouns: she / her / hers
Working to secure equal opportunity for all people regardless of sexual orientation or gender expression.

1434.   Josh Cohen  2016-09-21 2:45pm [D739]

Hi Penny,
I now have you on the calendar for 5pm eastern today. Talk to you then.

1435. During the meeting Penny Hamilton was hostile and falsely portrayed Plaintiff as making

an "unsolicited business proposition", in effect, painting Plaintiff as s gold-digger.

1436.

  J. Cohen  5:47p [D739]

Hi Penny,

Thanks for taking the time to meet and investigate my concerns. Please also pass along my thanks to Guatam for passing this along and that there's no ill-will on my part towards him. It's probably fair to say he was made an example of, but I think it's for a good cause. I'm happy to update my post indicating that the issue was taken seriously and resolved in a fair manner so if any other readers wonder they will know. If that's the case, let me know.

Like I said, I'm interested in helping if there is any effort to establish norms in our community for how to deal with reporting appropriately.

I do want to clarify something, and that is your use of the phrase unsolicited business proposal, which has the wrong feel to what I was seeking. This may be a small distinction, but I'd like to clarify it. I fund and run an organization called Open Supporter Data Interface (OSDI) <http://opensupporter.org>, a progressive coalition which stewards a common data standard (donations, people, events etc) for progressive customers and vendors. I also build various apps for the cause, and this year some progressive causes are using my new toolkit.

My mission could be viewed as an alternative way of 'funding' progressive causes by providing them with tools, (This was one of the goals of Friendfactor, which it did not achieve) and also making integration of systems from different vendors work better together. So when I spoke of possible collaboration, it was something more like that. A way to combine funding and tool building resources to provide free or near-free to progressive causes, or take incoming revenue/or profit and push it back into a fund (such as a Gill Action Fund et al) to be bounced back into the cause. This way it's providing the tech tools not as a business but as a pseudo-funding model.

While the conversations with Kirk never got far enough to develop that thinking, that's what I roughly had in mind. And since Tim is a software guy like me, and that Friendfactor was done under that umbrella, I figured that somewhere in Gillworld was the place to do it. (and why I was so concerned about the behavior of this other person)



Take care and thanks again

Josh

1437. There was no further response from Gill Foundation.

V.A.2.g RootsCamp 2016

1438. Plaintiff was unaware that he was being lured into an ambush. Plaintiff gave a "heads up" so Swirling and Stevens were aware of Plaintiff's intent to drop in, and his reason.

1439.  Document  11/18/16 "fb rc16 Jamie McGonnigal" [D1609]

1440.   Josh Cohen [D1609]

 Ru still with wellstone? Do you know who at wellstone is working with wov?

1441.   Jamie McGonnigal [D1609]

 wov?

1442.   J. Cohen [D1609]

 "Working our values" group on rape culture et al

1443.   J. McGonnigal [D1609]

Oh, we asked them about putting together the code of conduct, so they helped us with input for that.

1444.

📄 👤 J. Cohen [D1609]

I wanted to raise some concerns with how they did it. In particular how the group deals with male victims. I spoke up seeking gender diversity in the leader/decision making group (they refused), against their statements that the group didn't need to concern themselves with due process or fairness (which comes across as contempt for males) and some other values stuff. We argued, they framed me up as the usual enemy of the state (dangerous mr bro patriarchal mansplainer) and kicked me out of the group.

1445.

📄 👤 J. McGonnigal [D1609]

Well, I'll just say knock yourself out then. And that if there is disruption that violates codes of conduct, those folks will be asked to leave RootsCamp. I don't know all the specifics of what happened, but from only having your side of the story - it seems like you'd be best suited to run your own session and leave folks alone who clearly don't want you around and who may feel uncomfortable by your presence.

1446.

Plaintiff entered the room, took a seat in the back, and waited patiently to raise his concerns.

1447.

Extortion Damage At Rootscamp 2016, Defendants (via Swirling) announced to a room full of people that Plaintiff was a man who had engaged in repeated violence, persistent harassment against women and invaded their spaces. Plaintiff's sexual orientation was never mentioned.

1448.

This panicked the room; a male stranger got up from his seat walked up to Plaintiff and put his hands on Plaintiff. Plaintiff didn't know if he was about to be assaulted, so he sat down, slowly into his chair.

1449.

📅 🕒 11/19/16 🕒 2016-11-19 4:00pm "battery guy" [D44]



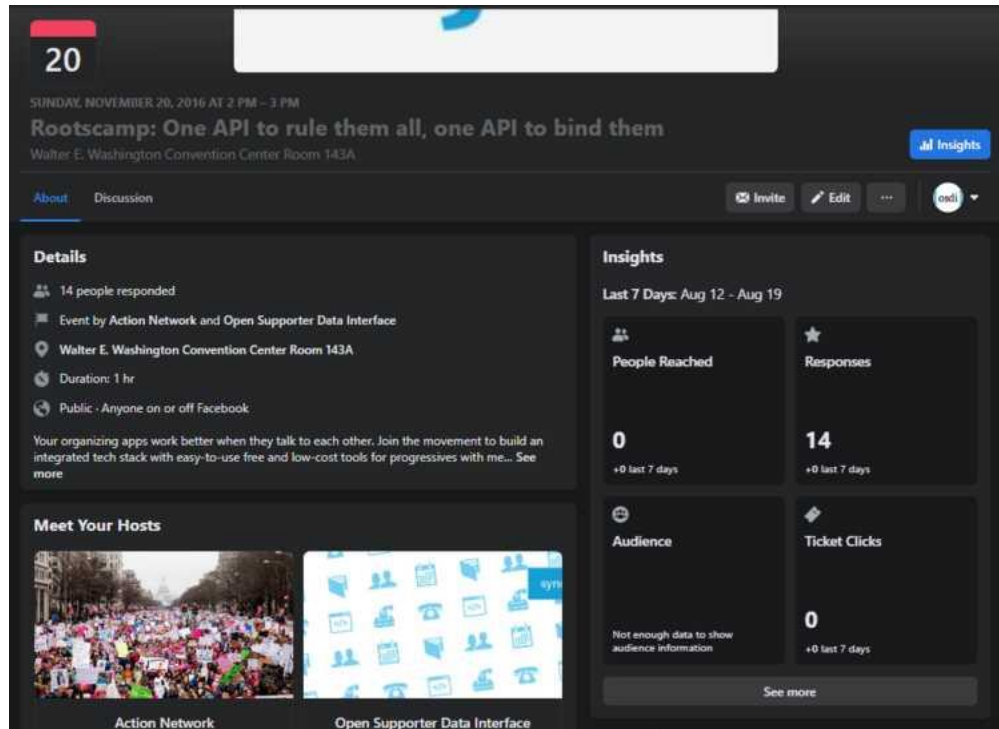
"Drawing of me, in video" [D44]

1450.

This resulted in Wellstone asking Plaintiff to cede the physical space of the conference.

1451.

📅 🕒 Event 🕒 11/20/16 🕒 2016-11-20 2:00pm "Rootscamp: One API to rule them all, one API to bind them" [D1441] 🗣️







"One API to rule them all, one API to bind them" [D1441]

1452. This meant Plaintiff would be absent from the OSDI session on the final day, so Plaintiff asked Rapi Castillo to present in his place.
1453. Plaintiff had planned to publish a web page revealing his sexual orientation, and his purpose of dealing with LGBT policies. At the time, it wasn't clear to him that Action Network was the aggressor, via proxy Swirling, and mistook Sabrina as the aggressor. Plaintiff registered a domain name for the site "sabrinasfolly.com", which was pointing out a mistake, but using a playful term "folly".
1454. On the evening of November 19th, 2016, Jason Rosenbaum called plaintiff via telephone to insist that Plaintiff not publish his perspective, warning Plaintiff that if he did, it would not be compatible with continuing to lead OSDI. Jason then followed up over SMS.
1455. □ Sms 🕒 11/19/16 🕒 2016-11-19 9:00pm "SMS Saturday Evening RC16" [D113]
1456. □ 🕒 9:00p [D113]
- De-escalation is the way to make this a temporary setback.
I think if this is the extent of it you won't hear more from them either.
1457. □ 🧑 Josh Cohen 🕒 9:17p [D113]
- So im not allowed to come to the conference tomorrow. No session no expo hall
1458. □ 🧑 Jason Rosenbaum 🕒 9:27p [D113]
- Sorry. Phone died. Ugh. Well look. Same advice here. De-escalation is the way to make this a temporary setback rather than something more consequential. I think if this is the extent of it you won't hear more from them either.
1459. Sara Beth Mueller, from Wellstone called Plaintiff via telephone, and asked Plaintiff to

"cede the physical space of the conference". She was specific that "official" spaces like the physical conference center, or official parties were exclusions, but spaces or parties hosted by others were acceptable for Plaintiff to attend.

1460. Plaintiff's purpose in attending the conference was purely professional, focused on his expo booth and the OSDI sessions. Plaintiff kept his personal life separate. Though unjust, Plaintiff made the requested concessions and pursued his remaining business meetings outside the conference center.

1461.  Email Subject  11/20/16  2016-11-20 12:28pm "For the OSDI panel" [D876**]  Rapi Castillo

1462.   Rapi Castillo  12:28p [D876]

Hey Josh, Joe told me about being in the panel just want to confirm and know if i should prep for it

1463.   Josh Cohen  12:44p [D876]

Yes you should sync with jason and seth

1464.   Jason Rosenbaum  12:48p [D876]

Come by the room at 1:40 and we'll prep a bit before together.

1465.   R. Castillo  12:55p [D876]

Sounds good.

1466.   R. Castillo  1:19p [D876]

Sounds good. I may need to go right after the discussion if that's ok , as I have to catch a flight at 4:10p.

1467. **Extortion Property Demand (Failed)** While Plaintiff was absent, Defendants staged another attack at the OSDI session, portraying Wellstone's actions as Plaintiff being guilty of the false accusations in an attempt to have him removed from his position.

1468.  Document  11/20/16 "sms re: Rootscamp16" [D344]

1469.   Seth Bannon [D344]

I assume Dave is f*****g with us?

1470.   S. Bannon [D344]

I still have no idea what happened, just know you somehow got yourself banned from RootsCamp :-)





1471. **Extortion Property Demand** However, due to OSDI's democracy requiring a vote within the committee this attempt failed. Though Action Network could have subsequently made a motion to remove Plaintiff, they did not, though they tried to induce others to.

V.A.2.h Use of ex-military soldier

1472. In March 2017, Defendant's made use of a gay ex-military soldier who was part of the same cohort as Mike Rogers, Jamie McGonnigal, Plaintiff's ex-boyfriend and others within the gay rights movement.

1473. Plaintiff had never met or interacted with him. Plaintiff was aware that he had been charged with sexual assault.

1474. **Extortion Damage and Concealment** By using a woman as a proxy to attack Plaintiff on the front stage (on progressphiles listserv), falsely portraying him as exploiting others' labor, Defendants damaged Plaintiff's reputation, while at the same time providing a diversion to conceal backstage coercion.

1475.  Email Subject  03/08/17  2017-03-08 9:26pm "{pp} They/Them/Theirs standard in OSDI" [D1645] 

1476.   Aliya Rahman  2017-03-09 8:12am [D1645]

Hey yall and Josh, I hear the open call for input here and embrace that it's what pp is all about - and I assume we'll get some awesome responses on here for folks who know this deeply and personally as well as professionally. AND I also want to push us as a data community to resource pieces of our work in ways that honor communities who are experts in these questions and who are simultaneously (i) rarely paid for their expertise...

1477. **Extortion Fear** Plaintiff received a Facebook friend request from ex-military soldier "Josh Seefried", which scared Plaintiff, leading him to seek help.

1478.  Email Subject  03/17/17  2017-03-17 10:13pm "eeek" [D157**]  Josh Cohen

1479.   Josh Cohen  10:13p [D157]

Today I got a friend request from this friend of XX's
<http://www.washingtonblade.com/2016/08/26/gay-air-force-lieutenant-found-not-guilty-sexual-assault/>



b9d3_Gosdi_graphicsPsoldier

1480. Extortion no way out

1481. Due to the fear induced by the friend request from ex-military soldier Seefried, Plaintiff sought help from Catalist. His concerns were essentially ignored.

1482. Email Subject 03/18/17 2017-03-18 9:29am "Re: FW: checkin with Wellstone" [D635**] Cristina Sinclair

1483. Cristina Sinclair 9:29a [D635]

Hi Josh - I'm sorry to hear you're having a hard time.

1484. Two days later, Jason Rosenbaum attempted to coerce Plaintiff to make a false confession.

1485. Chat 03/20/17 2017-03-20 11:35am "SMS Sync Up" [D143]

1486. Jason Rosenbaum 11:40a [D143]

I'm done wasting my time arguing with you about the process here until you're willing to acknowledge your abuse of chair power here.


1487. J. Rosenbaum 12:45p [D143]

If you don't understand why asking random people for input on our process was the wrong thing to do then I can't keep wasting my time trying to save you from yourself on this one.

1488. Extortion Property Demand Had Plaintiff made the false confession Jason

Rosenbaum was trying to coerce, this would provide a pretext to remove Plaintiff from his position.

1489. **Plaintiff De-escalates** Due to the escalating danger, Plaintiff retained counsel (Glen Ackerman) for the first time since fighting a speeding ticket 30 years go. Counsel negotiated with Wellstone/Rootscamp to de-escalate the situation and was successful.

1490.  Email Subject  05/11/17  2017-05-11 4:54pm "Wellstone Action - Update" [D323**] 
Glen H Ackerman

1491.   Glen H Ackerman  4:54p [D323]

I had a rather lengthy conversation with counsel. You are welcome to participate in any Wellstone Action event provided that you comply with Wellstone Action's Code of Conduct.







1492.   G. Ackerman  4:54p [D323]

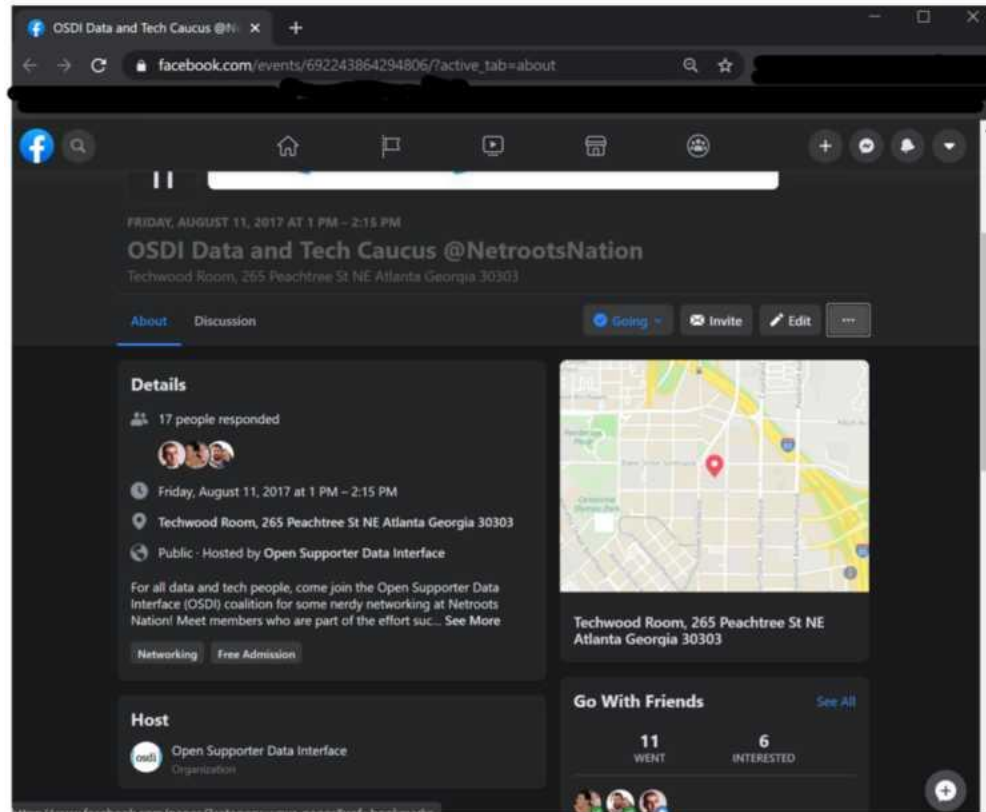
Opposing counsel agrees that Wellstone Action did not properly address the incident that took place at the Wellstone Action RootsCamp event in Washington District of Columbia last November.

Your participation in future Wellstone Actions should alert participants in the RootsCamp event that witnessed your removal that all is well.

V.A.2.i Netroots Nation 2017

1493. Netroots Nation 2017 was the tipping point for the external network effect, and as a result the final OSDI conference session before Defendants' racketeering activity excluded Plaintiff.

1494.  Conference Session  08/11/17  2017-08-11 1:00pm "Facebook NN17 OSDI Session" [D236]  Facebook;  Facebook Notifier;  Facebook

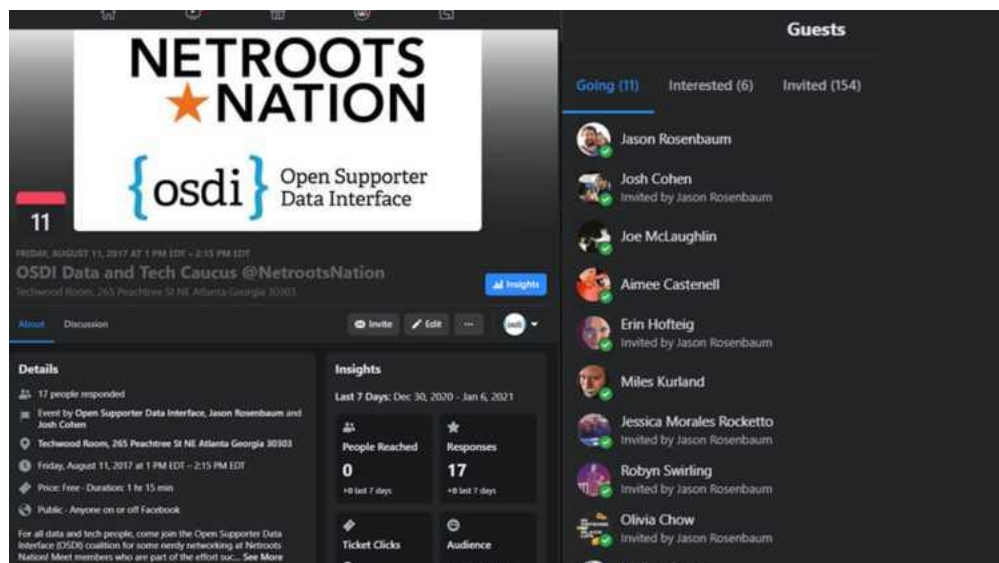


"Facebook Event for Netroots Nation 2017 OSDI Session" [D236]

1495. On the eve of the conference, Plaintiff was chatting with Jason Rosenbaum to discuss how to approach PDI. During that chat, Plaintiff received Facebook RSVP notifications for the OSDI session from Robyn Swirling and Jamie McGonnigal.

V.A.2.i.1 Robyn Swirling and Jamie McGonnigal RSVP to OSDI Caucus

1496. [Sms] 08/10/17 2017-08-10 10:22pm "SMS with Jason during NN17" [D234]
1497. [Sms] Josh Cohen 10:22p [D234]
pdi?
1498. [Sms] Jason Rosenbaum 10:22p [D234]
Soon
1499. [Sms] J. Cohen 10:25p [D234]



"Robyn Swirling has registered as 'Going' to your Facebook Event: OSDI Data and Tech Caucus." [D236]

1500. 📅 🗨️ Facebook Notifier 🕒 10:55p [D236]
 Robyn Swirling has registered as "Going" to your Facebook Event: OSDI Data and Tech Caucus.
1501. 🗨️ 🗨️ J. Cohen 🕒 10:58p [D234]
 You invited robyn to the osid event?
1502. 🗨️ 🗨️ J. Rosenbaum 🕒 10:58p [D234]
 Maybe? I think I invited my whole friends list
1503. 🗨️ 🗨️ J. Cohen 🕒 10:59p [D234]
 I also see jamie mcgonnigal on "interested"
1504. 🗨️ 🗨️ J. Rosenbaum 🕒 10:59p [D234]
 Yeah same story I guess. I'll see if that's possible
1505. 🗨️ 🗨️ J. Cohen 🕒 11:01p [D234]
 Id also ask you to have a conversation with robyn. If she is genuinely interested in participating in the discussion thats cool.
1506. 🗨️ 🗨️ J. Cohen 🕒 11:01p [D234]
 But if this is a setup its a nogo
1507. 🗨️ 🗨️ J. Cohen 🕒 11:01p [D234]
 Im going to have a reporting convo with nn staff just in case

1508. **Other Victims** Also relevant is that PDI launched its national platform at Netroots Nation 2017. Defendants scheme to disrupt OSDI coincided with obsrtucintg PDI's ability to gain the same benefit as Action Network had.

1509. Plaintiff feared they were planning another attack, and didn't want anything to do with either of them. Plaintiff made a complaint, via email, to Eric Thut asking to meet. Plaintiff asked Eric to ask Jamie and Robyn to not interfere with the OSDI session or Plaintiff's par-

icipation at the conference. If either of them were planning to participate in a constructive manner, they were welcome to attend.

1510.  Email Subject  08/10/17  11:20p "Gmail Potential code of conduct issue" [D1705**]

1511.   Josh Cohen  11:20p [D1705]

Id like to meet with you tomorrow morning before the osdi tech caucus at 1p. (Ideally not last minute) This is a precautionary conversation related to a rape culture situation. What ive been dealing with is the retaliation that comes from having spoken up about some sexual assault/abuse by a member of the community. I know thats probably a jolt but it is what it is.

1512.   Eric Thut  11:26p [D1705]

Can I bring in Mary on this conversation?

1513.   J. Cohen  2017-08-11 12:07am [D1705]

Sure thing


1514.   E. Thut  8:02a [D1705]

Can you came to Chicago E before 9:30

1515.   J. Cohen  8:37a [D1705]

Yup

1516. Plaintiff met with Eric Thut and Mary Rickles that evening, and asked them to prevent any aggression or interference from Robyn Swirling and Jamie McGonnigal.

1517.  Audio  08/11/17  9:30a "Complaint to NN17 re aggression" [T249]  ;  Josh Cohen, Self;  Eric Thut, Netroots Nation;  Mary Rickles

1518.   Josh Cohen  +03:55 [T249]

I want you to ask Jamie not to attend, not to attend that session and have no contact with me whatsoever.

1519.   Eric Thut  +04:45 [T249]

It's a little difficult to ask people to stay away from each other. You know, that's not the business we want to get into. As the official people in some ways we're taking a side of something, that we were not part of. What if I sat in on the caucus and just make sure it went well.

1520. **Extortion No Way Out** Eric refused to do this, allowing the aggression to escalate

1521. During the OSDI session, Eric insisted that the session end 10 minutes earlier to create a buffer before a session in the same room, hosted by Swirling.

1522. After the OSDI session, while alone with Plaintiff, Eric Thut instructed Plaintiff was prohibited from attending 3 sessions, and if Plaintiff disobeyed this, his credentials would be revoked.

1523. Eric held a piece of paper with dates, times, and locations for the 3 sessions, but not the session titles. Plaintiff asked Eric to email him the information, but Eric refused. Plaintiff doesn't know what those sessions were.

1524. Plaintiff informed Eric That that his refusal to prevent aggression from Swirling and

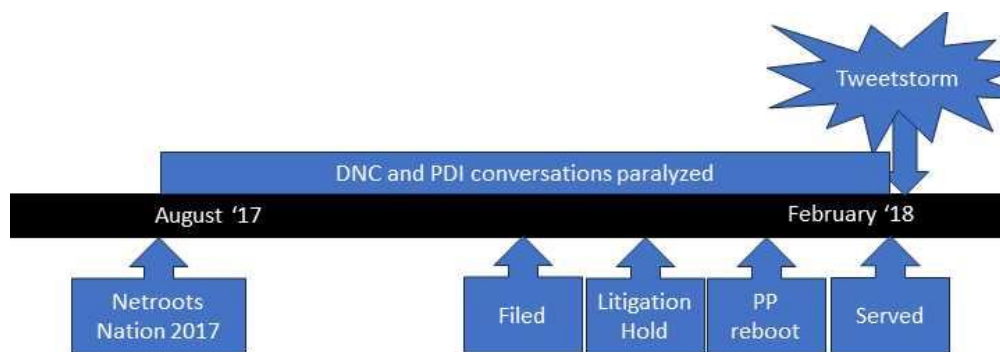
McGonnigal, his prohibitions, behavior in the OSDI session combined with their use of the ex-military soldier needed to stop and was harmful enough to warrant legal action.

1525. Extortion No Way Out Eric refused to do this, allowing the aggression to escalate

1526. At this point Defendants were aware that a complaint was forthcoming and positioned themselves to prepare for the extortion, attempt to gain control and/or destruction of OSDI.

V.A.2.j Paralysis

1527. Defendants paralyzed the DNC and PDI conversations until the provoked complaint was served, prepared for their Abuse of Litigation Privilege, which they used as a pre-text to destroy or gain control of OSDI, and capture "abandoned IP".



Paralysis



Abuse of Process

1528. The DNC strung Plaintiff along waiting for the complaint to be filed.

1529. Email Subject 08/27/17 2017-08-27 "DNC Followup" [D329] Josh Cohen

1530. Josh Cohen 2:27a [D329]

you mentioned you were coming to NYC soon. When is/was that?

1531. Liz Jaff, DNC 1:28p [D329]

Adding Sally
Raffi will be in NYC soon
Sally josh runs OSDI an initiative raffi is very interested in this open data option
Let's make sure we stay connected on what's next. Fisher is lead for open API so good to flag for him so he stays connected with josh too

1532. Sally Marx, DNC 2017-08-28 9:49am [D329]

Raffi will be in NYC on 9/18. Any chance you are free to meet with him then? If you don't mind, we'd also like to have Fisher join. As Liz mentioned, he is the lead on our team for open API.

1533.   J. Cohen  2017-09-05 8:31am [D329]

Yes, this sounds great. Let me know how the schedule plays out

1534.   S. Marx  2017-09-07 9:53am [D329]

Hi Josh---thanks for your patience here. We've been wrestling a bit with Raffi's travel schedule (which changes daily), so I think for the time being, it makes sense for you to sit down with Fisher and Riley from our team. They are based in NY.

1535.   J. Cohen  2017-09-13 11:35am [D329]

Hi Micheal,
When is a good time for us to meet?

1536.   Michael E Fisher, DNC  2017-09-14 1:10pm [D329]

Riley and I will both be back in NY next Thursday and Friday if that works for you. Sadly, I don't think we have much to share since yet since we last spoke in August we're still getting spun up over here. But always happy to have you over to our New York office to catch up.

1537.   J. Cohen  2017-09-16 12:01pm [D329]

That works for me, and I'd love to see the new digs.
I suggest one of our goals should be on the interop/backpack plan. When we met with Raffi in NYC and discussed OSDI, I offered to create a draft proposal laying out how OSDI fits into the backpack as well as how the DNC would manage it.
It would be great to meet with you, get feedback on the proposal, incorporate any suggestions etc before we bring it to Raffi.

1538.   J. Cohen  2017-09-22 12:19am [D329]

Michael, didn't hear back from you. when works for you? Next week can work too, my freebusy Pick your favorite slot

1539.   J. Cohen  2017-09-26 1:04am [D329]

Hi Micheal, can you let me know what works for you?

1540.   M. Fisher  1:05a [D329]

Hey Josh, sorry for the delay.
How about next Wednesday 10/4 or Thursday 10/5?

1541.   J. Cohen  1:06a [D329]

Lets do Wednesday. How about 2-4p?

1542.   J. Cohen  2017-10-03 8:33am [D329]

Micheal, whats the address of your office? I'll come by wednesday at 2






1543.   L. Jaff  11:49a [D329]

Josh let's hold on this till after VA





1544.   L. Jaff  12:03p [D329]

Let's plan next week tamaira please reach out to Josh to schedule a call with me and him



V.A.2.k Complaint Filed



1545. At this point:
- The DNC and PDI conversations were paralyzed
 - 2 Employment conversations went silent
 - The aggression from McGonnigal and Swirling at Netroots Nation 2017 had caused damage
 - The use of gay ex-military Seefried made the situation seem dangerous
1546. Plaintiff needed it to stop, and the only discoverable root cause was the false accusations made by Swirling at Rootscamp 2016. Plaintiff filed the complaint on November 11th, 2017.
1547. Plaintiff was unaware that Defendants used Swirling as a proxy, leading Plaintiff into an Abuse of Litigation Privilege trap.
1548.  Docket  11/17/17  2017-11-17 9:00am "Lawsuit Filed Case NYSD 1:17-cv-09019" [D70]
1549.  Josh Cohen  9:00a [D70]
- Plaintiff brings this action for defamation, unfair competition, tortious interference for, inter alia, the malicious, willful and unlawful dissemination of false, misleading, disparaging and defamatory statements by Defendant regarding Plaintiff...

V.A.2.l Gubarev v BuzzFeed Alison Schary Appears Pro Hac Vice








1550. In Q4 2017, Plaintiff liquidated IRA savings account so the funds would be available to fund his time and labor during the struggle save OSDI.
1551. In December 2017, after the complaint was provoked and filed, Alison Schary who would serve as Defense Counsel for Robyn Swirling appeared Pro Hac Vice in Gubarev v BuzzFeed, a matter related to the "Trump Dossier" authored by British Intelligence agent Christopher Steele and published by BuzzFeed.
1552.  Document  12/15/17 "Gubarev et al v. BuzzFeed, Inc. et al" [D1573]  Justia Dockets & Filings
1553.  [D1573]
- Filing 102 ORDER granting 101 Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Electronically Receive Notices of Electronic Filing for Attorney(s) Alison Schary. Signed by Judge Ursula Ungaro on 12/15/2017. (ls)








V.A.2.m Request for Dialog / Litigation Hold

1554. On December 27, 2017, Plaintiff's counsel sent letters to Netroots Nation and Rootscamp requesting dialog to de-escalate the conflict, or in the alternative, litigation hold.
1555.  Document  12/27/17 "Netroots Notified of Suit" [D52]


























1556.  [D52]
 our hope was that continuing harm to our client could have been stopped through dialog... Should you have similar concerns, we invite you to meet and confer with us about alternative resolutions and compliance
1557.  Document  12/27/17 "Litigation Hold letter to Wellstone" [D53]
1558.  [D53]
 Litigation Hold letter to Wellstone
1559.   Justin Mercer, Esq. [D53]
 While our intention with this letter is to inform you of your preservation obligations, we do not intend for our evidentiary needs for this case to be overbearing nor time consuming. Similarly, our hope was that Robyn Swirling's continuing harm to our client could have been stopped through dialog, but her continued aggression has made these steps necessary.
 Should you have similar concerns, we invite you to meet and confer with us about alternative resolutions and compliance
1560. Plaintiff waited for a response, which never occurred.

V.A.2.n Listserv Progressphiles Reboot

1561. Now aware that the complaint had been filed, Netroots Nation and Wellstone/Rootscamp responded with radio silence. In parallel, they positioned themselves for Abuse of Litigation Privilege.
1562. On 1/8/2018, Progressphiles listserv, a coordination point for data practitioners in the market, and a critical information flow "rebooted" itself. The moderators deleted the existing google group, created a new google group, added a new code of conduct. Members were required to rejoin, agreeing to the new code of conduct.
1563.  Email Subject  01/08/18  2018-01-08 9:00am "{pp} We are deleting Progressphiles..." [D55*]  Progressphiles
1564.   Progressphiles Moderators  9:00a [D55]
 We have decided to delete the current Progressphiles listserv and invite all current {pp} members to a rebooted listserv.
 What?
 The new rebooted Progressphiles listserv will have more active moderatio
 There is now a code of conduct
https://docs.google.com/document/d/1V88LKzHYhBR7_ylcbgsRHaeDoBVhFQVJGcERgYMr3Hc/edit?usp=sharing which you should read before signing up for the rebooted listserv. If you violate the code of conduct in the rebooted {pp}, you could be removed from the list, be placed into moderated suspension, or receive a warning. This decision will be at the discretion of the moderators in collaboration with the person(s) impacted by the reported action and will be made on a case-by-case basis. 2.
 In Solidarity,
 Your Progressphiles moderators
 Matthew, Cristina, Luke, Jenn, Dessa and Andrew
1565. The complaint was served to Swirling on January 25, 2018.

1566.  Email Subject  01/25/18  2018-01-25 "Robyn was served with the summons" [D67] 
Justin Mercer
1567.   Justin Mercer  12:09p [D67]
Hey Josh, My process server just informed me that [Defendant] was served personally on 1/23/18.

V.A.2.o Unparalyzed

1568. On January 31, 2018, Defendants unparalyzed the PDI and DNC conversations.
1569.  Email Subject  02/01/18  2018-02-01 7:28am "let's chat!" [D516**]  Raffi Krikorian
1570.   Raffi Krikorian  7:28a [D516]
hey josh.
its been a while since weve spoken! the last few months at the DNC have been nuts, but i feel like the tech team is starting to get its feet underneath ourselves.
i wanted to chat about two things, if you have a second:
1571.   R. Krikorian  7:28a [D516]
the tech team is about to launch a marketplace of progressive technology that campaigns and state parties should know about. effectively democratizing access to this data. sally, CCed, who is running the program has been working hard to catalog everything and also negotiating prices with people who should up in the catalog. id like to chat about the role of OSDI and how we can highlight applications that comply in the market. i still believe strongly in interoperability, so i want to use this as a venue to continue to nudge the ecosystem
1572.   R. Krikorian  7:28a [D516]
i wanted to revisit whats the best ways that i, and the DNC, can be involved in OSDI. hope youre well, and hope to hear from you soon!
1573.  Email Subject  02/01/18  7:43p "[osdi-exec] PDI" [D417**]  Osdi Exec
1574.   Joe McLaughlin  7:43p [D417]
I'm meeting Gary Brown, the CEO of Political Data Inc AKA PDI a week from Saturday for breakfast re some Dem and Working Families stuff. Met him at Netroots Nation too and have been trying to get together since.
Don't know where we ever got with PDI joining OSDI, but seems like now is the time. Russ, help with that would be great, also Josh, whoever else.
1575.   joshco  8:00p [D417]
We have made multiple attempts with no success. Break out the curly braces and tie him to a stationary object. Dont let him escape until they request OSDI membership.
1576.   J. McLaughlin  8:38p [D417]
Sure, whatever works. If there is anything I can share with Gary by then about the DNC discussion, please let me know. If not, mum's the word.
One thing that has changed, I think, is PDI's rolling out of PDI National is moving along, from kind of a slow start last summer. Seems if PDI really intends to try to compete with VAN, OSDI is a necessary if not sufficient part of that.
On Feb 1, 2018 5:00 PM, wrote:
1577.   Josh Cohen  8:49p [D417]

Until we hear something substantive from the dnc there isn't much to say. Tell him about CallHub osdi support. Doing osdi will get them that for free
Sent from my iPhone

1578.   J. McLaughlin  11:18p [D417]

Right yeah I'll point out the benefits of connecting to the OSDI 'ecosystem' - CallHub, the other already-implementing orgs. Cool.
On Feb 1, 2018 5:49 PM, "Josh Cohen" wrote:

V.A.2.p Abuse of Litigation Privilege


1579. On 2/12/18, Defense counsel Schary filed a motion to dismiss. In parallel, Swirling posted a tweetstorm which abused litigation privilege, misrepresenting the two policy arguments in 2016.

1580.  Docket  02/12/18  2018-02-12 8:28am "Def Motion to Dismiss" [D71]

1581.

	Tweetstorm Active		
February 2018	March 2018	April 2018	

1582.  Tweets  02/12/18  9:00a "quote robyn tweetstorm" [D1590]

1583.   9:00a [D1590]

Telling the truth about what's happening to you can feel empowering and freeing. Unfortunately, I'm writing this today to tell you about the flip side of that -- the backlash and harassment that you can face for just standing up for yourself.

1584.   9:00a [D1590]

This isn't a #metoo story, but it is a story about what I'm dealing with in response to my work on ending sexual and gender-based harassment in the progressive movement.

1585.   9:00a [D1590]

Josh Cohen is a software engineer, activist and chairman of [OpenSupporter?](#). He is also someone who has harassed me for the past year and a half, and who is now suing me alleging defamation, tortious interference, libel, and intentional infliction of emotional distress

1586.   9:00a [D1590]

I am trying to do the hard and necessary work of combatting harassment within our movement, but Josh has interfered and disrupted on multiple occasions, then threatened retaliation if I spoke up. A few highlights:
He hijacked a working group that I organized, including offering a significant amount of money to my co-organizer if she would agree to elevate Josh's priorities and cut me out of my own work.

1587.   9:00a [D1590]

Josh suggested that he might "go postal" if his request to include more male voices, primarily his, was not accepted. After my co-organizers and I explained why his behavior was unacceptable and asked him to part ways with the group, he disregarded that request.

1588.   9:00a [D1590]

He then threatened to sue me for defamation if I told people about his behavior on the listserv.

1589.   9:00a [D1590]

He disrupted a conference session I led and then refused to leave when told to.

1590.   9:00a [D1590]

He registered a web domain with one of my co-organizer's names in the URL. He said as long as we didn't say anything further about his behavior, he wouldn't publish "the other side of the story" on that site.
The last

1591.   9:00a [D1590]

It is unacceptable to use legal action in an attempt to silence and intimidate someone who criticizes harassing behavior.

1592. Defendants setup a fundraiser to collect money from the community to fund defense of a lawsuit Defendants provoked in order to gain control of property.

1593.   9:00a [D1590]

Please chip in to less the financial impact of this lawsuit.
All funds received through this page will go to Robyn's legal defense.



1594. **Extortion Damage** The Tweetstorm contains an additional, lethal, false accusation, that Plaintiff harassed proxy Swirling for a year and half, combined with derivatives of the attacks in the original extortion threat on the WOV policy group. This is an example of how Defendants used fear to induce responses they can misrepresent by combining grains of truth, lies of omission, and outright fabrications.

1595. **Extortion Threat** Defendants distortions is so blatant that they can be viewed as a threat to continue their deception.

1596. **Abuse of Litigation Privilege** Defendants engineered circumstances to allow them to get away with deception by protecting it with litigation privilege.

1597. Though Swirling was required to remove the Tweetstorm, the most damaging false accusation remained online on a twitter account she could control until at least April 2021.

1598. Proxy Swirling's LinkedIn profile lists a role with Clinic Escort from 2014 to present.

1599.  Document  12/29/21 "Robyn Swirling LinkedIn" [D1267]

1600.  [D1267]

Clinic escort
Washington Area Clinic Defense Task Force
Feb 2014 - Present * 7 years 11 months

1601.  Tweets  02/18/18  2018-02-18 "ClinicEscort" [D1981]

1602.   ClinicEscort  11:52a [D1981]

My friend, and all-around good human, has been harassed for a year and a half by a man who has just doubled down by suing her (suing HER!). You can read what's going on in her own words here. twitter.com/RSwirling/stat...

1603.   ClinicEscort  11:52a [D1981]

It turns out (who knew? oh---her harasser knew) that defending yourself even against a baseless lawsuit is expensive. So has posted a crowdfunding page for those of us who asked how we can help. I chipped in, and hope you will too. youcaring.com/robynswirling-...


1604.   ClinicEscort  5:00p [D1981]

Evening shift re-post. My lovely friend is being sued by her harasser. Her thread here: twitter.com/RSwirling/stat...
The fundraiser for her legal defense (necessary even for a BS suit) is 56% to goal. Can you help? She'd be grateful & so would I. youcaring.com/robynswirling-...

1605. **Extortion Damage** By retweeting it 3 times, Defendants sought to maximize the damage they were doing to Plaintiff's economic viability and facilitate coercion.

V.A.2.q Coercion 2/12

1606. **Extortion Damage Frontstage**

1607.  Email Subject  02/12/18  2018-02-12 1:24pm "Please remove me from <http://opensupporter.org/leadership/>" [D5*]  Chuck Hagenbuch

1608. Defendants were *ruining* Plaintiff's name, economic viability, and business, endangering his safety. Though they portrayed themselves as coming to the aid of women, they were fabricating a pretext to justify nullifying Plaintiff's property rights and "taking him off the table" so their competitors couldn't gain similar benefit.

1609.   Chuck Hagenbuch  1:24p [D5]





Please remove me from the Governance committee. I do not want to be listed as emeritus in any way either. In order of importance:
I do not want to support or be affiliated with an organization run by or attached to Josh Cohen's name or his harassment.
I have never been deeply involved in OSDI.

1610.   Adriel Hampton  7:30p [D5]

There is an organized campaign to get OSDI affiliates to repudiate you - a former colleague contacted me asking me to call for your ouster as chair. I told her basically what your letter says and that when two people are accusing each other of harmful actions and asking their friends to support their version, the courts are a decent place to hash that out.

1611. **Extortion Property Demand** Defendants used this to coerce others to flee or face retaliation for "not supporting women"

1612. Plaintiff later followed up with Adriel Hampton via phone, asking him to elaborate on the *organized campaign*. Plaintiff memorialized Adriel's description in email and asked him to confirm it, which he did.





1613.  Email Subject  10/19/18  2018-10-19 10:00am "could you document" [D4]  Josh Cohen

1614.   Josh Cohen  10:00a [D4]

could you commit to email a description of the bullying behavior you experienced? Here's what I recall, could you edit/clarify/confirm?
A female friend X of Robyn's contacted this OSDI member by phone. X told the member that they needed to either kick Josh out of OSDI or resign from OSDI themselves. X also said that if this member didn't go along, "it would not be forgotten", which was received by the member to be a threat of retaliation.
When this member told X that Josh's actions were to confront discriminatory behavior, and that he is also a victim of sexual misconduct seeking to avoid retaliation, X replied that they didn't care.

1615.   Adriel Hampton  11:37a [D4]

That's accurate, except it was Facebook Messenger, not phone.

1616.  Email Subject  02/12/18  2018-02-12 10:42pm "An Important update" [D1048]  Joshco

1617.   joshco  5:42p [D1048]

Dear Members of OSDI, I write to inform you that I recently filed a lawsuit against an individual who has used her platform to publish and communicate false and defamatory statements about me to

1618.   Brady Kriss  8:01p [D1048]

I'm so sorry to hear this. Let me know if I can help.





1619. **Conspiracy** Brady Kriss/RagTag is proxy for Dimitri Mehlhorn who used Reid Hoffman's money to help fund Higher Ground Labs. see [D676]

1620.   Seth Bannon  2018-02-13 1:57am [D1048]

Sorry to hear you're going through that. Must be stressful. Let me know if there's anything I can do to help.


1621.   Augustus Franklin  8:30a [D1048]

Hey Josh, Very sorry to hear about this. Must be a difficult time for you. If there anything I can help with, please ask. best regards, Augustus

1622.  Email Subject  02/12/18  2018-02-12 9:30pm "Invoice from Netroots Nation" [D983]  Netroots Nation





1623.   Eric Thut, Netroots Nation  9:30p [D983]


Your invoice is attached. Please remit payment at your earliest convenience.
Netroots Invoice Balance Due \$0.00

1624.   E. Thut  2018-02-13 1:50pm [D983]

Please ignore this invoice that was sent out. We had a ghost in the machine that decided to send invoices out to everyone who received one last year. I apologize for any inconvenience or confusion that this has caused.

1625. **Extortion Threat** To Plaintiff, this appears to be gloating over the destruction of Plaintiff's economic viability.


1626.  Email Subject  02/12/18  2018-02-12 9:48pm "membership to Progressphiles" [D58*]
 Progressphiles Moderators

1627.   9:48p [D58]

We have received multiple complaints from members of Progressphiles that have felt bullied by actions you have taken. When you joined the rebooted Progressphiles, you agreed to follow a Code of Conduct. In accordance with the idea of maintaining Progressphiles as a place safe from harassment or intimidation, we are removing you from the list.

1628. **Extortion Damage** Plaintiff was removed from Progressphiles listserv that evening, further limiting his career, and his ability to engage in diligence to discover Defendants' schemes to invest the proceeds.

1629.  Email Subject  02/12/18  11:32p "RE: membership to Progressphiles" [D219*] 
 Joshco

1630.   7:05p [D219]

Hi everyone,
 We have been made aware that several members of the list have felt bullied by actions of a member of Progressphiles. In accordance with the idea of maintaining Progressphiles as a place safe from harassment or intimidation as described in our Code of Conduct, we have removed that individual from the list.
 Also please remember to not discuss legal matters on this list and be extra cautious of sharing any details regarding ongoing legal matters via this list.

1631. **Extortion Damage** By silencing any discussion of the issue on the list, the truth of the Robbery by Extortion was concealed.

1632. The next day, Nathen Woodhull engaged:

1633.   Nathan Woodhull  2018-02-14 12:31pm [D1048]

Josh, It seems, as an outsider, wholly unaware of the particulars, that my advice would be to try and find a way through mediation or human connection to resolve this issue whatever it might be outside of the courts. It seems like that would be the best option for you, Robyn, the issues you cared about raising, and OSDI.
 I know you both to be very passionate people who care a great deal about many of the same things -- but to me -- again not being aware of any of the exact particulars -- escalating to a lawsuit versus all of the other mechanisms available for dispute resolution among people feels like a distraction from all of the useful things you could both be doing in the world. I get that whatever happened must have felt incredibly hurtful and personally damaging to take the steps you have but surely there are more constructive ways to resolve things?
 I know we're not close but hope you take this as intended, as heartfelt advice from an acquaintance who cares about you and OSDI, etc

1634. **Wire Fraud** Nathan's statement "I get that whatever happened must have felt incredibly hurtful and personally damaging to take the steps you have but surely there are more constructive ways to resolve things?" furthers the conspiracy by continuing the false portrayal of Plaintiff as

1635.   N. Woodhull  1:41p [D1048]

Of course she's not being fair, you're suing her. At this point you're never going to get the outcomes you want pursuing this strategy is all I'm saying even if you feel boxed in and

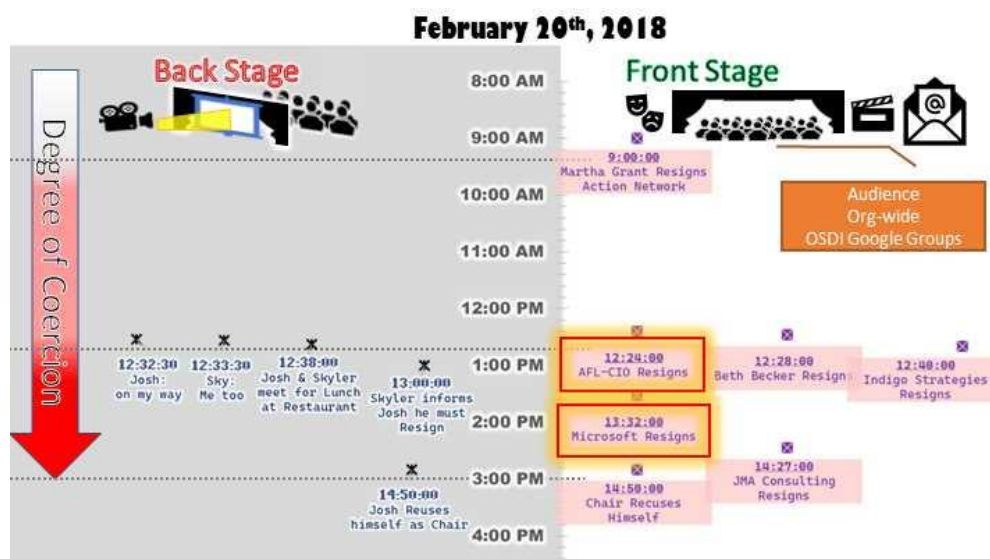
1636. Email Subject 02/19/18 2018-02-19 9:50am "[osdi-gov] Please remove us from OSDI" [D562] @ List governance, Nathan Woodhull

1637. [View on osdi-dev](#)

1638. Nathan Woodhull 9:50a [D562]

I would like to resign my Governance role as part of OSDI and all other official participation by myself and ControlShift.
Please remove all references to ControlShift and myself from the OSDI website, mailing lists and materials.
We'll still follow along with the technical docs / developments via Github and wish the broad community of people working towards tech interoper inside and out of OSDI well.

V.A.2.r Coercion 2/20



0c2d_Grico_gainPcoerce_resigns_simple

1639. **Front Stage** Action Network changed its

1640. Email Subject 02/13/18 2018-02-13 12:40pm "[osdi-gov] NOTICE: Action Network OSDI representation change" [D255*] Martha

1641. Jason Rosenbaum 12:40p [D255]

Hello all,
Effective immediately, I am being replaced as Action Network's OSDI representative by Martha Grant, a project manager here on our team. Her email address is ...
Josh, can you add Martha to the relevant email lists (tech and governance) and the Lucid calendar invite for tech calls, and remove me?

1642. joshco 2:21p [D255]

Thanks for the update.
I will make those changes.
Jason, thanks for all of your contributions to OSDI.

Martha, welcome aboard! Since you re coming in mid-stream, I ve asked our vice chair, Sonya Reynolds to serve as an informal mentor to help get you up to speed. In the meantime, block out 3pm eastern on Thursdays for the tech committee call. There is also an executive committee call this week (every other week), which as a governance member, Action Network is entitled to drop in. That could helpful in getting the pulse of OSDI. And of course, there s obviously an elephant in the room, so if you have questions about that, we can talk about that as a group. Let me know if you want to attend.

1643.   joshco  2:27p [D255]

This time with Martha added

1644.   Martha Grant  3:09p [D255]

Thanks! I would like to attend the executive committee call

1645.   joshco  4:29p [D255]

You should have received an invitation from Lucid Meetings for exec and the tech call.

Since you are new, it will direct you to create an account. That s probably a good thing to do sometime before the meeting, as Lucid can be a bit needy.

1646. **Disparate Impact** By replacing Jason Rosenbaum with a woman, Martha Grant, Defendants could portray their subsequent coercion as empowering woman.

1647.  Email Subject  02/20/18  2018-02-20 9:30am "[osdi-gov] Resigning from OSDI" [D1436] @ List governance,  Martha Grant

1648. [View on osdi-dev](#)

1649.   Martha Grant  9:30a [D1436]

Action Network will no longer be participating in OSDI, but we commit to maintaining interoperability with the tools of the progressive movement and doing what we can to strengthen that commitment throughout the movement. Please remove all references to us from the website and other materials, and remove me from all lists. Martha

1650.   Jeff Mann  12:24p [D1436]

Please remove AFL-CIO as well.

1651.   Beth Becker  12:28p [D1436]

Me as well please

1652.   Walter Ludwig  12:40p [D1436]

Ditto Indigo

1653.   Dave Leichtman via OSDI Governance  1:32p [D1436]

Microsoft would also like to be removed from the Industry Tech group.

1654.   Joe Murray  2:27p [D1436]

I don't have any sense of what is prompting others to resign apart from the messages posted today. But I've only attended a few meetings and don't feel like I am participating at a level that makes sense to remain a member. I wish everyone well. But please accept my resignation.

All the best.

Joe Murray, PhD President, JMA Consulting
skype JosephPMurray twitter JoeMurray

1655.

 Sonya 6:50p [D1436]

Apologies for the apparent radio silence, bad week to be on vacation. For those that resigned on this thread, or others that are concerned or confused, please reach out to me if you would like to talk about what is needed to maintain your commitment to the work. My current plan is to collect this input from the coalition of the willing (anonymously/confidentially) and use it to guide a collective discussion a path forward that doesn't jeopardize organizations or this important work. Open to hearing everyone's thoughts so our next steps can be productive in making it through this period.

In solidarity, Sonya

1656.

Backstage

1657.

At the NYC Hacknight prior to 2/20, Skyler/MoveOn suggested Plaintiff meet with him to hear Skyler's suggestions on how to resolve the conflict.


1658.

Skyler scheduled it for lunch on 2/20. They met at Cafeteria, a restaurant in Chelsea, NYC. while there' Skyler insisted that the way to resolve the crisis was for Plaintiff to resign.

1659.

Extortion Property and Damage The timing of the lunch meeting with Skyler/MoveOn, and the coordinated resignations on the front stage, which appeared to be members and the AFL-CIO "supporting women" effected the coercion.

1660.

 Sms 02/20/18 12:30p "I agree to meet with Skyler to hear him out, he compares my action to killing Robyn's dog and leaving it's body on her porch." [D93]

1661.

 Josh Cohen 12:31p [D93]

I'm outside civic hall?

1662.

 J. Cohen 12:32p [D93]

5min

1663.

 J. Cohen 12:32p [D93]

On my way!

1664.

 J. Cohen 12:32p [D93]

Ah right.

1665.

 Sky Duveen 12:32p [D93]

Is this josh? I thought we were meeting at cafeteria?

1666.

 S. Duveen 12:33p [D93]

Me too:-) see you in a few minutes

1667.

 S. Duveen 12:38p [D93]

At the bar

1668.

Extortion Damage At lunch with Skyler, Skyler instated that to resolve the conflict, Plaintiff needed to resign, portraying the act as a concession he needed to make to women.

1669.

Plaintiff refused and instead *recused himself*.

1670.  Email Subject  02/20/18  2:50p "Recusal of the chair" [D309] @ List governance,  Josh Cohen

1671. [View on osdi-dev](#)

1672.   Josh Cohen  2:50p [D309]

Our organization operates by parliamentary procedure in the form of Roberts Rules of Order... Therefore, effective immediately, I'm exercising the right of the Chair to delegate that authority to the Sonya Reynolds, Vice Chair as Chair Pro Tem.

V.A.2.s Copyright License Fraud

1673. **Extortion Property** Skyler Duveen/MoveOn attempted to induce a change in copyright licensing to a copyleft license, which would, in effect, trick Plaintiff into abandoning his copyrights. The changes were proposed based on the ruse that this was an obstacle to MoveOn's participation, and thus needed to resolve the conflict and get the project back to its successful state.

1674. On 2/21, MoveOn opened an issue on OSDI's GitHub repository proposing Copyright Licensing changes.

1675.  Document  02/21/18 "osdi github copyright skyler" [D539]

1676.   Skyler Duveen, Moveon [D539]





The current specification isn't licensed in any way. It should be licensed in some open-documentation license

1677.   S. Duveen [D539]

but even if something in there releases copyright/shares distribution/modification rights of the spec, it should be clearer.
Something like www.gnu.org/licenses/fdl-1.3.en.html Or
<http://creativecommons.org/licenses/by-sa/4.0/>

1678.   Josh Cohen [D539]

Here's a proposal based on the W3C copyright license. It allows republishing (like forking our repo for proposed changes), but prohibits publishing as a technical specification, or the representing the democratic consensus of OSDI

1679.  Email Subject  02/22/18  2018-02-22 9:19pm "copyright licenses" [D537*]  Josh Cohen

1680.   Skyler Duveen, Moveon  9:19p [D537]

I know some standards bodies hold tight to their spec, but I don't see the motivation in this particular situation.

1681.   Skyler Duveen, MoveOn.org  9:25p [D537]








I don't know if I can even legally clone the repo, much less publish modifications on github to make a PR. Technically that's not a granted permission without a copyleft license of some kind.


























1682.   S. Duveen  9:28p [D537]

Technically
that's not a granted permission without a copyleft license of some kind.

1683.   S. Duveen  10:28p [D537]
 Isn't that trademark law? I know some standards bodies hold tight to their spec, but I don't see the motivation in this particular situation.
1684.   S. Duveen  10:28p [D537]
 Not blocked, but think it's important -- if I had thought of it last September I probably would have suggested that it be a condition of us joining. We can't responsibly participate in open source projects without licenses either.
1685.   Josh Cohen, OSDI  10:32p [D537]
 But the trademark is usually a logo, certification symbol or phrase.
 I'll do some research for next week's call. See if you can make that.
1686.  Email Subject  02/22/18  9:19p "copyright licenses" [D1569*]  Josh Cohen
1687.   Josh Cohen  9:19p [D1569]
 we discussed this on the call today. We put the intellectual property in way back because that was a more pressing issue to protect from submarine patents. For the copyright side, what's the scenario you are thinking of?
1688.   Schuyler Duveen  9:25p [D1569]
 I don't know if I can even legally clone the repo, much less publish modifications on github to make a PR. Technically that's not a granted permission without a copyleft license of some kind.
1689.   J. Cohen  9:28p [D1569]
 One of the things that's tricky about standards work is that we don't want to allow people to republish a modified version and still call it the OSDI Specification, or something like that. There are some standardsy copyright licenses, I'll look around. Are you blocked on something?
1690.   S. Duveen  10:28p [D1569]
 Isn't that trademark law? I know some standards bodies hold tight to their spec, but I don't see the motivation in this particular situation.
 Not blocked, but think it's important -- if I had thought of it last September I probably would have suggested that it be a condition of us joining. We can't responsibly participate in open source projects without licenses either.
1691.   J. Cohen  10:32p [D1569]
 OK. Theres definitely some fuzziness between trademark and copyright. But the trademark is usually a logo, certification symbol or phrase.
 Ill do some research for next weeks call. See if you can make that.
 Typically the most pressing concern for the lawyers is the intellectual property.

V.A.2.t Coercion 2/25





1692.  Email Subject  02/25/18  2018-02-25 "Nathan's comments via email" [D41]  Schuyler Duveen
1693.   Josh Cohen  2018-02-12 5:42pm [D41]
 Dear Members of OSDI, I write to inform you that I recently filed a lawsuit against an individual who has...

1694.   Nathan Woodhull  2018-02-14 12:31pm [D41]
- Josh, It seems, as an outsider, wholly unaware of the particulars, that my advice would be to try and find a way through mediation or human connection to resolve this issue whatever it might be outside of the courts. It seems like that would be the best option for you, Robyn, the issues you cared about raising, and OSDI.
1695.   N. Woodhull  12:31p [D41]
- I get that whatever happened must have felt incredibly hurtful and personally damaging to take the steps you have but surely there are more constructive ways to resolve things?
1696.   N. Woodhull  12:31p [D41]
- I know you both to be very passionate people who care a great deal about many of the same things -- but to me -- again not being aware of any of the exact particulars -- escalating to a lawsuit versus all of the other mechanisms available for dispute resolution...
1697.   J. Cohen  1:15p [D41]
- Does it strike you an accident that someone of her caliber that in her comprehensive attacks she completely airbrushed out my identity as a gay male and antidiscrimination activist?
1698.   N. Woodhull  2018-02-25 1:41pm [D41]
- Of course she's not being fair, you're suing her. You've decided to escalate a conflict with a professional activist who is better at comms than you are.
1699.  Email Subject  02/12/18  2018-02-12 10:42pm "An Important update" [D1048] 
- Joshco
1700.   Schuyler Duveen  2018-02-25 1:57pm [D1048]
- I understand how you got here but at this point I think you are in a sunk-cost fallacy negative feedback loop. I think at this point, the alternative path would be something like the steps below.
- Withdraw your lawsuit
 - Write a "confessional" blog post about why you are dropping the lawsuit
 - It should not be defensive. At most, it can have a one-sentence "I was scared for my career and my community, but that is no excuse", our community likes confessions, even if we say they're not enough or pick them all apart
 - Say you were wrong -- if you are looking for inspiration (I'm not saying the situations are similar, I'm giving you examples of my favorite "I was wrong" [Balloon Juice about Iraq War], [Louis CK])
 - Run it by your PR firm or whatever since you have one.
 - Have your lawyer review it, but make sure whatever the final product is, it's still truly apologetic and says you were wrong to file the lawsuit.
 - Say you will take "Sensitivity Training" or whatever, and follow-through and do that
 - Say you understand that in the current political moment and probably forever women need safe spaces too. Whatever your intentions were, you undermined their ability to have and manage those spaces.
 - Run it by a woman, ideally someone like Sonya Reynolds: in the community and articulate on "mansplaininess"
 - Stay recused from the OSDI chair position and make sure you are not a controlling entity of that body in any way -- participate as an implementing member
1701.   Josh Cohen  4:30p [D1048]

I really do appreciate your efforts here, and there is a lot of merit to what you are saying. This isn't about sunk cost. it may be that you're just not going to be able to see things from my

V.A.2.u Coercion 2/26

1702. Nathan Woodhull withdrew from OSDI, which is property damage. During a telephone meeting with Sonya Reynolds on the 28th, she communicated Action Network's position, that they would work to recruit Nathan Woodhull back into OSDI. The price for that, which would be communicated after the Order of Discontinuance on via telephone meetings with Brian Young on 4/27 and with Jason Rosenbaum on 5/30 [T23] was the demand for Plaintiff to resign.

1703.  Email Subject  02/26/18  2018-02-26 3:31pm "RE: remove me from website?" [D731*]  Joshco

1704.   joshco  3:31p [D731]







 You should contact the acting char, Sonya Reynolds

1705.   Sonya Reynolds  2018-02-27 6:03pm [D731]


 go ahead and remove them. I responded.

1706. **Extortion Damage** Nathan Woodhull inflicted damage.

1707. On February 28th, 2018, Plaintiff met via telephone with Sonya Reynolds.

1708.  Audio  02/28/18  2018-02-28 2:00pm "Sonya 2018_02_28" [T48]  Sonya;  Josh;  Sonya


1709.   Josh  +00:00 [T48]

 I'm definitely pretty panicked. Yeah. So, uh huh. My biggest concern at this point is starting to become a personal safety issue.


1710.   Josh  +00:48 [T48]

 sent me the little poke of intimidation from Josh Seefried, the military soldier


1711.   Sonya  +01:36 [T48]

 I don't know who any of those people are, so I am really I don't know what you I don't know what you're asking me.

1712.   Sonya  +02:24 [T48]

 I think Jasonay's Avi, At least they were the last time I talked to Brian. Not even two days already. Like something of substance that we changed. Um You know, Brian told me he was willing to get Nathan and potentially VAN to kick the can down the road as well. And that clearly didn't work.

1713.   Josh  +07:29 [T48]

 Sonya: Brian is totally scared. And I'm sure his lawyers will tell him not to talk to you. Well, he might be willing to just listen.

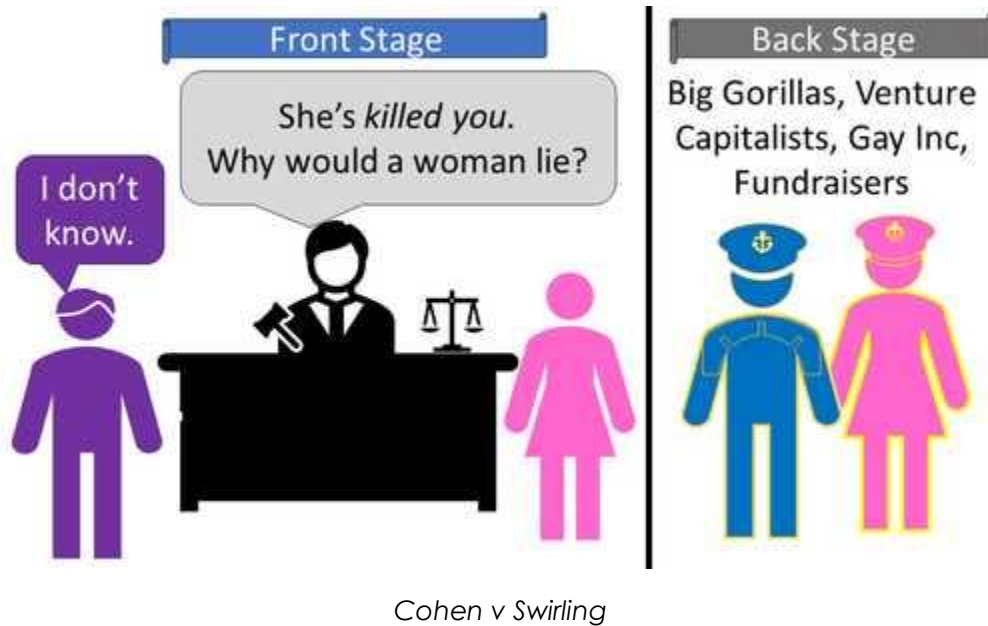
1714. **Extortion Fear / No Way Out** Plaintiff remained afraid due to the friend request from Seefried, and the ambiguity of what it meant. Sonya dismissed them.

1715. That evening, Plaintiff was removed from listserv Diversity Advocates.

1716. Document 02/28/18 "Diversity Advocates" [D944]
1717. Diversity Advocates Moderators [D944]
Your unsubscribe to diversity_advocates was successful.
1718. Extortion Damage Removal from Diversity Advocates

V.A.2.v Abuse of Process: Settlement conference 3/19

1719. Settlement conference occurred on March 19, 2018.







1720. Document 03/19/18 "Statement agreed upon in settlement conference with federal judge" [D86]
1721. [D86]
Statement agreed upon in settlement conference with federal judge
1722. Document 03/23/18 "STIPULATION OF VOLUNTARY DISMISSAL PURSUANT TO FRCP 41(a)(1)(A)(ii)" [D75]
1723. An agreement was made on Monday 3/19, requiring Swirling to take down the tweetstorm, and attach a stipulation to the voluntary dismissal admitting that there had not been any physical violence, sexual harassment, that Plaintiff is gay, and that there was an "other side" to the argument which was LGBT equality. Defendant was given latitude to use her own words.
1724. The next day, Swirling reneged on the agreement and attempted to coerce Plaintiff to withdraw the complaint without any statement from Swirling, and dragged it out as long as possible. Plaintiff's counsel sought enforcement from Judge Gorenstein, and the case was settled.
1725. Defendant Swirling and counsel Schary were prolonging the amount of time the tweetstorm remained publish, maximizing the damage to Plaintiff.

1726. Abuse of Process Defendant Swirling and Counsel Schary were participants in the conspiracy.

V.A.2.w Order of Discontinuance

1727. Defendants waited until after the Order of Discontinuance to continue their coercion.




1728.  Email Subject  04/05/18  2018-04-05 12:51pm "Call to discuss VAN" [D6*]  Sonya Reynolds

1729.   Sonya Reynolds  12:51p [D6]

Hey Brian -
Let's get this call scheduled. When works for you? Sonya

1730.   Brian Young  12:55p [D6]

This week is jammed now, but next week s not bad. Tuesday?

1731.   S. Reynolds  12:58p [D6]

I'm flexible next Tuesday until 3:30p

1732.   Josh Cohen  1:46p [D6]

I can do 12p, or 1p (Sonya we can use our agenda slot)




1733.   B. Young  1:56p [D6]

I have lunch meeting at noon, so let s say 1pm

1734.   J. Cohen  1:57p [D6]

ok

1735. Brian Young did not respond.

1736.  Docket  04/22/18  2018-04-22 "Case 1:17-cv-09019-JGK Document 16 Filed 03/23/18 Page 1 of 1" [D250]

1737. After the Order of Discontinuance, Brian Young continued the email thread.

1738.   B. Young  2018-04-24 4:19pm [D6]

Hey, circling back to this Josh, I mentioned talking after I ve done some research and some thinking. How about Thursday afternoon or Friday between 10am and 2pm? Sonya, don t think you need to join but you certainly can. Up to you guys.

1739.   joshco  4:29p [D6]

I m free from after the osdi tech call until 4pm Thursday. Friday 12-2








































1740.   B. Young  6:11p [D6]

OK, let s say Friday at 1pm

1741. Extortion Damage Plaintiff met with Brian Young via telephone on April 27th, to discuss the topic of NGPVAN. However, Brian Young did not discuss NGPVAN, instead he attempted to coerce Plaintiff to resign.

1742. Plaintiff insisted that Action Network respect OSDI's democracy, which they had agreed to, and refused to be coerced to resign.

V.A.2.x Personal Democracy Forum 2018

1743. On May 30th, in a telephone meeting with Jason Rosenbaum, Action Network made another attempt to coerce Plaintiff to resign.
1744.  Audio  05/30/18  2018-05-30 11:11pm "Telephone Call Jason Rosenbaum, Josh Cohen" [T23]  My Recording;  Jason;  Josh
1745.   Josh  +11:00 [T23]
 To the extent I am guilty of anything it is unruly and disobedient behavior on a group in September 2016, and mostly silent protest for about a minute in a conference session (November 2016) I just two things completely within the norms of the community.
1746.   Jason  +11:00 [T23]
 I agree... It's not about the merits.
1747.   Josh  +11:00 [T23]
 Harassing her over a period of time, No.
1748.   Jason  +11:00 [T23]
 Again, it's not about the merits. I agree... I agree... It's not about the merits.
1749.   Josh  +11:00 [T23]
 Yeah, it is about the merits
1750.   Jason  +14:40 [T23]
 If you you are a leader of an organization. Your duty to the organization is to put the organization first. And if you can no longer put the organization first in good conscience and leaders of organizations resign, that's what they do.
1751. **Extortion Property Demand** Using the unjust harm damage already inflicted, Jason attempts to pressure Plaintiff into resigning ostensibly for the good of the organization, but really it is so they can gain dominant control. He is also attempting to put himself in control of Plaintiff's career.
1752.   Multiple  +17:06 [T23]
 I guess the last thing I would say it is just, appeal to you, I don't think you did right by the organization. I think you can still do right by the organization now, which is to step back. I don't think that's forever...
1753.   Jason  +17:06 [T23]
 I would hope that at this point when you've seen what happened to the organization you clearly care about, you would put it first and take that step back.
1754.   Josh  +26:30 [T23]
 The community left me to my own devices. The legal system is the way we resolve problems, and I think I used that responsibly.
1755.   Jason  +26:30 [T23]
 The merits hardly matter here.
1756.   Josh  +26:30 [T23]
 Yes, the merits do matter!

1757. Extortion Damage Jason admits that he doesn't care about what is true.

1758.  Jason  +26:30 [T23]

| you are no longer able to be a leader of this progressive movement organization.

1759.  Josh  +26:30 [T23]

| Membership will need to decide. If they want to remove me, they can certainly do that

1760.  Jason  +25:59 [T23]

| We're not punishing you. We're trying to remove you from your position because you are no longer able to lead the organization...

1761. Conspiracy Jason acknowledges that MoveOn and the DNC are acting in conspiracy.

1762.  Josh  +31:00 [T23]

| Brian claimed that Action Network is also speaking on behalf of the DNC, MoveOn, maybe some others.

1763.  Jason  +31:00 [T23]







| A few organizations have called him to express their positions, so he's relaying that information. That's true. Yeah. We did not call them.

1764.  Jason  +36:33 [T23]

| MoveOn has adopted. I've seen their internal tools, most of their new stuff is using OSDI. ActBlue has adopted, though they don't engage in the committee.

1765.  Jason  +41:51 [T23]

| Going forward, you have a reputation in the community and you are unable to do the work of chairman and you know we don't have confidence in your judgment, that's our position. That's what we laid out on on the other week. And that's what we'll lay out in whatever process the committee comes up with.

1766.  Audio  05/30/18  11:11p "Telephone Call Jason Rosenbaum, Josh Cohen" [T23]  My Recording;  Jason;  Josh

1767.  Josh  +11:00 [T23]

| To the extent I am guilty of anything it is unruly and disobedient behavior on a group in September 2016, and mostly silent protest for about a minute in a conference session (November 2016) I just two things completely within the norms of the community.

1768.  Jason  +11:00 [T23]

| I agree... It's not about the merits.

1769.  Jason  +14:40 [T23]

| I don't think it is. If you you are a leader of an organism. Your duty to the organization is to put the organization. And if you can no longer put the organization first in good conscience and leaders of organizations resigned, that's what they do.

1770.  Jason  +17:06 [T23]

| I guess the last thing I would say it is just, appeal to you, I don't think you did right by the organization. I think you can still do right by the organization now, which is to step back. I don't think that's forever, right. I am with you in the sense of the way that people try other people and convict them on social media. I think steps back from

something like that are unclear right now, but I don't think they're gonna be unclear forever. I would hope that at this point when you've seen what happened to the organization you clearly care about, you would put it first and take that step back.

1771. **Extortion Property Demand** Using the unjust harm damage already inflicted, Jason attempts to pressure Plaintiff into resigning ostensibly for the good of the organization, but really it is so they can gain dominant control. He is also attempting to put himself in control of Plaintiff's career.

1772.   Josh  +26:30 [T23]

The community left me to my own devices. The legal system is the way we resolve problems, and I think I used that responsibly.

1773.   Jason  +26:30 [T23]

The merits hardly matter here.

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Yes, the merits do matter!

1775. **Extortion Damage** Jason admits that he doesn't care about what is true.

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Brian claimed that Action Network is also speaking on behalf of the DNC, MoveOn, maybe some others.

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A few organizations have called him to express their positions, so he's relaying that information. That's true. Yeah. We did not call them.

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MoveOn is has adopted. I've seen their internal tools, most of their new stuff is using OSDI. ActBlue has adopted, though they don't engage in the committee.

1779. **Conspiracy** Jason acknowledges that MoveOn and the DNC are in conspiracy.

1780.   Jason  +41:51 [T23]

Going forward, you have a reputation in the community and you are unable to do the work of chairman and you know we don't have confidence in your judgment, that's our position. That's what we laid out on on the other week. And that's what we'll lay out in whatever process the committee comes up with.

1781. **Extortion Damage** The Abuse of Process and Litigation Privilege has caused unjust serious harm to Plaintiff.

1782. Plaintiff refused to be coerced to resign, and insisted that if Defendants wanted to remove him, they could make a motion and secure a majority vote, which was completely within their power.

1783. The next day, Plaintiff received email from conference organizers for Personal Democracy Forum 2018, revoking Plaintiff's registration.





1784.  Email Subject  05/31/18  2018-05-31 2:25pm "PdF refund" [D145**]  Pdf

1785.   Andrew Rasiej  2:25p [D145]

Dear Mr.Cohen,
 We are in receipt of your registration for the PDF Conference on June 7-8, 2018.
 We are unable to extend you an invitation for this event and we will be promptly re-funding your full registration fee/ticket purchase.
 Andrew Rasiej
 Personal Democracy Forum

1786. Plaintiff replied sending the agreement negotiated by Judge Gorenstein, however, they didn't change their position. Plaintiff would later learn from PDF consultant Sherry Hakimi, that the reason they didn't change their position was because they had been told that Judge Gorenstein issued a *restraining order* against Plaintiff.

1787. Had PDF asked for documentation on the order, which didn't exist, the fraud would have been exposed. Plaintiff contacted Andrew Rasiej via email to ask what, if any, documentation was asked for or provided.

1788.  Email Subject  05/21/19  2019-05-21 3:20pm "past conflict and recommendations" [D1968**]  Josh Cohen

1789.   Josh Cohen  3:20p [D1968]





Hi Andrew,
 One point of clarification I'd like to ask pertains to citing the existence of a "restraining order" as a justification of why I was excluded. When Robyn communicated that, did she provide any documentation of this? Did PDF ask for any documentation?

1790.   Andrew Rasiej  2019-05-29 1:33pm [D1968]

As for your question, I can not respond without the advice of our counsel.

V.A.2.y Netroots Nation 2018



1791. Plaintiff was only aware of the Disparate Impact scheme, so he sent a complaint regarding this to MoveOn CTO Ann Lewis. At the time Plaintiff did not believe Action Network's statement that MoveOn was in cahoots.

1792.  Email Subject  07/25/18  2018-07-25 2:39am "Complaint to MoveOn's CTO re the harmful homophobic root, and request for dialog to de-escalate" [D48] 

1793.   Josh Cohen  2:39a [D48]

Anne, I'm writing to request a meeting at this time because of requests for me to resign professional positions in apparent retaliation for a lawsuit I filed - and settled - in an attempt to resolve a misunderstanding about my activism to ensure equal protection applies to the LGBT community... My intent here is to bring a series of harmful, discriminatory, and unethical actions to your attention and address them. My hope is that you will see this as an opportunity to de-escalate the situation and move forward together, rather forcing me to respond in the public sphere as Robyn has done.

1794. The same day was the diversity committee meeting which had the agenda of resolving the conflict. Despite Action Network's statement that they would attend, they did not.

1795.  Meeting Minutes  07/25/18  1:30p "Minutes: OSDI Diversity & Inclusion

Committee Meeting" [D206]

1796. Sonya Reynolds, "I asked no one to put forth motions. I wanted us to work through." ¹⁰

1797. Adriell Hampton 1:30p [D206]

(meeting chair) recap - last D&I, Action Network left, asked Josh to step down from leadership, Joe concurred, no formal motions.

1798. **Extortion property demand** Plaintiff's position remained that if Defendants wanted Plaintiff out, they would need to make a motion and secure a majority vote. Instead, they attempted to coerce Plaintiff to resign, thus abandoning his IP rights.

1799. Email Subject 07/29/18 2018-07-29 11:36pm "NN18 - Important Information." [D949**] Eric Thut

1800. Eric Thut, Netroots Nation 11:36p [D949]

Given new information we have received, we have reconsidered your attendance at Netroots Nation and are revoking your credential for the conference in New Orleans this week. We will be refunding your registration fees.

1801. **Extortion Damage** With Plaintiff's refusal to be coerced to resign, Netroots Nation cancelled Plaintiff's registration and refunded payment.

V.A.2.y.1 Due Dilligence

1802. Plaintiff had already booked his travel to New Orleans, and arranged business meetings, so he travelled to New Orleans and attempted dilligence. The hatred incited by Defendants extortion is visible on the faces of Netroots staff during refusal of service.

1803. <https://www.youtube.com/watch?v=tfzn6DO-iSs>

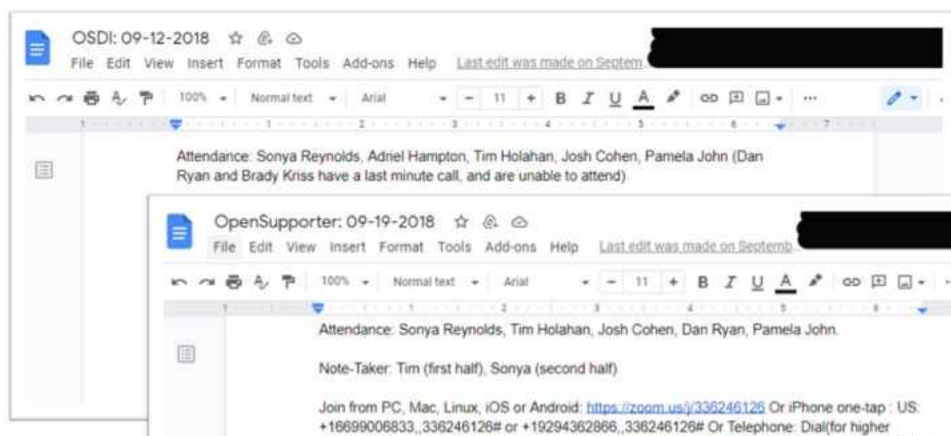
V.A.2.y.2 Trademark Dilution

1804. Without any discussion or motion, Defendants began referring to OSDI as OpenSupporter. They also proposed the use of "StaleBot" which automatically closes issues in the GitHub repository. Since Defendants had squelched participation from others, the lack of activity, and automatic closing of issues created the false perception that the project was failing due to lack of interest.

1805. Meeting Minutes 09/19/18 2018-09-19 12:30pm "OpenSupporter 09 19 2018" [D695]

¹⁰ [D206] Meeting Minutes Hampton, A., Cohen, J., Kriss, B., Reynolds, S., & Holahan, T. (2018, July 25). Minutes: Osdi Diversity & Inclusion Committee Meeting [Interview]. lucidmeetings.com. lucidmeetings [D206, pt sonya11] [↗](#)

9/19/2018 Without any motion or decision,
OpenSupporter is used instead of OSDI



Trademark Dilution [D695]

1806. Dan Ryan, RagTag @ 12:30p [D695]
 GitHub app for closing stale issues and PRs <https://probot.github.io/apps/stale/>
1807. Email Subject @ 09/19/18 @ 8:00a "Removed from InsidersOut" [D747] Rex Wockner
1808. Mike Rogers, Gay Inc @ 8:00a [D747]
 Removed from InsidersOut google group
1809. **Extortion Damage** Mike Rogers removes Plaintiff from listserv InsidersOut, a coordination point within the gay rights movement. By doing so, Plaintiff's career within the gay rights movement is damaged.

V.A.2.z 1Q2019 End of Operate Phase

1810. **Extortion Property Demand** Plaintiff stated his objections to the consolidation of power in email on January 25th. In response, Sonya Reynolds/Colibri, Tim Holahan/Broadstripes, and Brady Kriss/RagTag stated their intent to resign thier positions, but not immediately, instead waiting until the end of their terms, on 1/31/2019.
1811. Email Subject @ 01/25/19 @ 2019-01-25 4:25pm "RagTag's Resigns from Governance" [D369] Brady Kriss
1812. Josh Cohen @ 12:20p [D369]
 Continuing the discussion from our last exec... Our top priority is membership growth. (I think we're in agreement on this) Second is preparing for the election.
1813. Plaintiff had recruited potential members including PDI, who had originally expressed interest in March 2019, but no action was taken.
1814. Josh Cohen, OSDI @ 12:30p [D369]
 Membership. We had a number of leads, yet we closed zero new memberships... Our last new member closure was in august, prior to the new term of the current officers.

In this term, I brought in some leads, and so did others. At least one of those leads was a second bite at the apple, after we apparently dropped the ball the first time... I'm not really a huge fan of grandiose tracker spreadsheets, as they end up being more work to manage than whatever it is actually tracking.

1815. **Extortion Damage**

1816.   Brady Kriss, RagTag  4:25p [D369]

Hey y'all,
I believe that interoperability and standardized data practices are essential to the long-term health of the progressive movement.
I hoped that I would be able to contribute to this by participating in OSDI/OpenSupporter. Unfortunately, it's become clear that this is not the right place for me.
I'm resigning the position of VP of Membership and resigning my position on Governance, effective immediately.

1817.   B. Kriss  4:27p [D369]

Ragtag will remain a member of OpenSupporter, and Dan Ryan (and others, from time to time) will participate in some of the tech calls, and we will continue to help work on the spec and build for the spec.
My membership tracker is here and has been shared with everyone on Exec for a while now. I hope it is not too grandiose to be useful

1818. **Extortion Damage**







1819.   Sonya Reynolds  2019-01-28 3:15pm [D369]

Hey team -
Similarly, after much reflection I have decided that I won't be staying on as chair after my term ends.
I have a family emergency that might prohibit me from running the call on Wednesday so would really appreciate if someone could step in and cover this week.
Best
Sonya

1820.   Tim Holahan, Broadstripes  4:31p [D369]

Hi, folks.
I'm happy to chair Wednesday's tech call.
I, too, am going to step away from the exec committee at the end of this term (i.e. in three days).
I'll continue to participate in the tech call to the extent possible.
Thanks,
Tim

1821. **Extortion Damage** Plaintiff was unwilling to vote for the consolidation of power. In response Defendants Broadstripes, RagTag and Colibri resigned their positions, falsely misled Plaintiff about future participation and left the project.

1822.  Audio  02/01/19  2019-02-01 "Telephone conversation between Tim Holahan, Broadstripes and Josh Cohen" [T166]  Tim;  Tim;  Josh

1823.   Tim  +03:55 [T166]

I'm stepping down in a couple of days, then officially I'm off. And that's true of Sonya and Brady as well. Obviously brady's already off.

1824.  Tim  +65:40 [T166]

and you are now in a parting of the ways with people more important than me, People less willing to talk to you about it than me. But Sonya and brady are out and I'm out. I'm out except for tech and Brian will show up for tech when it's appropriate. But we can't share the leadership of this group with you because of your (in)ability to share it.

1825. **Extortion Damage** Tim Holohan/Broadstripes statement that Plaintiff was "at a parting of ways with people more powerful than [him]" means further exclusion due to Plaintiff's unwillingness to abandon his property rights.

V.A.2.aa Netroots Nation 2019

1826. Had Plaintiff been able to attend Netroots Nation 2019, he likely would have attended the following sessions and discovered Defendants' schemes.




V.A.2.aa.1 Front Stage

1827. Netroots Nation 2019 was a major milestone in the Data War. Had Plaintiff attended, he would have attended the following sessions. This would have revealed Defendants' investment schemes including Lightrail's release, ActionBuilder's release, and Defendants' "TECH FOR THE MOVEMENT, NOT THE BILLIONAIRES" campaign as well as the Data War victory of Democratic Data Exchange (DDX) over Reid Hoffman's Alloy project.

1828. On 7/12/2019, at Netroots Nation 2019, Gerard Niemira hosted a session:

1829.  Conference Session  07/12/19  2019-07-12 4:30pm "DON'T PUT DIGITAL IN THE CORNER: WHY EVERY DEPARTMENT SHOULD BE USING DIGITAL TOOLS AND TACTICS" [D1648]  ;  Netrootsnation

1830. The following week on 7/17/2019, Niemira posted a blog post stating that Lightrail was released the week of Netroots Nation 2019.

1831.  Web Page  07/18/19 "Introducing Shadow Inc: Shining a Light on Political Data,Introducing Shadow Inc: Shining a Light on Political Data | by Shadow Inc. | Shadow Inc | Medium" [D1199]  Medium

1832.  Gerard Niemira, Shadow [D1199]














Since we initially announced our acquisition by ACRONYM earlier this year, Shadow has been hard at work to publicly launch and bring you new tools to help progressive campaigns and causes win up and down the ballot. That's why we're excited to share two big announcements today:

1833.  Gerard Niemira, Acronym [D1199]

Lightrail is the universal adapter for progressive political data. Lightrail is the universal adapter for progressive political data. It makes it easy for you to move data from tool to tool and back to your data warehouse so that you can get your data where it needs to go without having to know Python or SQL.

1834.  G. Niemira [D1199]

Over the summer we'll be releasing more connections and more pipelines, like BSD Tools, VAN, MobilizeAmerica, Redshift, and more, but if you're interested in getting started with Lightrail today, let us know!

1835.  G. Niemira [D1199]
 Say Hello to Shadow Messaging
 Our goal is to make tools that empower organizers and advocates to do what they are already doing but faster, easier, and in a way that makes it simple to scale their impact.
 We know that peer-to-peer SMS is only one tool that organizers use to communicate with their people and in some cases it may not be the most cost-effective way to organize. So we're adding a new tool to our peer-to-peer messaging suite: peer-to-peer email.
1836.  G. Niemira [D1199]
 This new email tool lets organizers send email from their own email address that's templated to a list synced or uploaded to our tool. Replies go directly to the organizer's inbox where they're managed like any other email, but data about the initial send is tracked (bounce rates, open rates, clickthrough rates) and can be synced into VAN so you can see directly in your CRM who received the mail.
1837.  Conference Session  07/12/19  2019-07-12 9:00am "NN19 TECH FOR THE MOVEMENT, NOT THE BILLIONAIRES" [D493]  ;  Session Description;  Bio Of Moderator, Brian Young, Action Network;  Bio Of Panelist, Ann Lewis
1838.   Session Description  9:01a [D493]
 Sometimes, the incentives of investor-driven, for profit technology are exactly counter to the long-term interests of our movement. Recently, a new generation of technology has been built using different, innovative models that put our movement first and sustainably fund themselves (and their organizations). Come hear from people building the technology backbone of our movement
1839.   Bio of Moderator, Brian Young  9:02a [D493]
 Brian Young is the co-founder and Managing Director at the Corporate Action Network, a hub to support campaigns fighting corporate abuse with innovative organizing technology and tactics.
 Previously, he directed John Kerry's digital operations in his political and official offices...
 He also consulted on Howard Dean's ground-breaking Presidential campaign... and, before getting involved in politics, was an award-winning documentary filmmaker.
1840.   Bio of Panelist, Ann Lewis  9:04a [D493]
 Ann Lewis is the CTO of MoveOn. She is a technical leader, architect, and active coder who is passionate about cultivating great engineering teams, and building tech that powers collective action at scale.
1841.   9:05a [D493]
 Josh Nussbaum
1842.   9:06a [D493]
 Brian Young, Action Network; Ann Lewis, CTO MoveOn; Josh Nussbaum, The Movement Cooperative
1843.  Conference Session  07/11/19  2019-07-11 11:15am "This Is How We Win: A First Look at Action Builder Netroots Nation" [D1759] 

1844.  11:15a [D1759]

As progressives, we win when we take the time to build and maintain relationships with and between activists, understand the issues we all face, and identify and develop our future leaders. Come by for a Philly Water Ice, join leading organizers and the Action Builder team for a discussion on building a sustainable and scalable movement through tried-and-true organizing tactics, and enjoy a special demo of the new organizing toolset, Action Builder, from the organization that brought you Action Network.

V.A.2.aa.2 Back Stage

1845. On 6/24/2019, Plaintiff received a notification that his registration to Netroots Nation 2019 was cancelled and refunded.

1846.  Document  06/24/19 "Netroots 2019 Refunded without explanation" [D103]

1847.   Eventbrite [D103]

REFUND
Event Name Netroots Nation 2019
Order Number 947016369
Refund Amount \$507.50
Note YOUR REGISTRATION HAS BEEN
CANCELLED AND REFUNDED.

1848.  Document  06/26/19 "Email: Your registration has been cancelled." [D102]

1849.   Netroots Nation Registration [D102]

Please note that your registration has been cancelled and you have been issued a full refund.

1850. Since the conference was in Philadelphia, not far from New York, Plaintiff elected to travel to Philadelphia to attempt to register in person and have a conversation with the organizers to determine why they were excluding him.

1851. Plaintiff also arranged meetings with professional contacts who were attending the conference, since many were congregating in Philadelphia.

1852. Even if he could not attend, he could still seek information on what happened to OSDI's IP and application ecosystem.

1853. When Plaintiff attempted to register, he was denied and none of the conference organizers were willing to speak with Plaintiff about the reason for the exclusion.

1854. Plaintiff recorded the interaction and uploaded it to [YouTube](https://www.youtube.com/watch?v=CUEospqON6Q)
<https://www.youtube.com/watch?v=CUEospqON6Q>

1855. In addition to refusing service, Carolyn Duchesne, a staffer at Netroots Nation, coerced the Philadelphia Police to remove Plaintiff from the public lobby of the convention center.

V.A.2.aa.3 Retaliation

1856. Defendants retaliated against plaintiff by terrorizing him on the sidewalk, when a male stranger accosted Plaintiff in front of an audience of attendees, repeating "Josh Cohen sexually harasses women" and similar false accusations.

1857. At the time, Plaintiff did not know who the stranger was. Plaintiff since discovered that the stranger was Mikey Franklin, who at the time was employed by Nathan Woodhull. Franklin subsequently became employed at New/Mode, one of Higher Ground Labs' initial portfolio companies.

1858.  Document  07/13/19 "Affidavit from Witness re sidewalk harassment of Statement" [D164]

1859.   Witness [D164]

Immediately when Josh returned, the man approached us and asked what we were doing. Josh began to explain the sign and his mission. The man listened to Josh for a minute and then asked Josh what his name was. When Josh responded, "Josh Cohen," the man said, "Oh, I know who you are. You're Josh Cohen. You sexually harass women." He kept repeating the statement: "Josh Cohen sexually harasses women."

1860.   Witness [D164]

I then asked the man how he had heard that Josh "sexually harasses women" and whether he wanted to learn the truth about what transpired. I told him that we were happy to speak with him and explain the full story. I specifically said to him, "Don't you want to know the full story?" He responded, "no," and continued repeating, "Josh Cohen sexually harasses women." This went on for approximately five minutes. After that, the man walked away.

1861.   Male Stranger outside NN19 PHL [D164]

"You're Josh Cohen. You sexually harass women." He kept repeating the statement: "Josh Cohen sexually harasses women."

1862. **Extortion Damage** Plaintiff was terrorized on the sidewalk in front of other attendees with false accusations that could foreseeably have incited violence towards him, in addition to unjustly inflicting further damage to his business property and reputation.

V.A.2.aa.4 Defendants Assess Their Progress Towards Bankrupting Plaintiff

1863. While attempting diligence at nn19, plaintiff encountered Faith Cheltenham. She said she wanted to help plaintiff, and could get him money if he needed it.

1864. She then asked plaintiff how much he had left before he went bankrupt and for plaintiff to email docs on the situation as he understood it at the time.

1865. Whoever asked her to do that was assessing their progress towards bankrupting plaintiff and whether he had connected the dots to the robbery.

1866. To conceal this, Faith Cheltenham baited Plaintiff. She asked repeated questions about the ambush at Rootscamp 2016. When Plaintiff responded she would reply "I don't understand". Eventually, Plaintiff said "I will demonstrate", and demonstrated what is depicted in the drawing below.

1867.   11/19/16  2016-11-19 4:00pm "battery guy" [D44]



"Drawing of me, in video" [D44]

1868. Plaintiff put his hands on NAME's shoulders, as in the picture. NAME then accused Plaintiff of being something to the effect of violent towards women.

1869. Extortion Damage Faith Cheltenham is an African American, Transgender woman. By choosing her as a proxy, Defendants could further their conspiracy to incite hatred towards Plaintiff from the world. To be seen as someone violent towards an African American Transgender woman would incite hatred.

1870. In the intervening time of the conspiracy, Kevin Jennings rose up to become CEO of Lambda Legal. Plaintiff again sought help to protect the external network effect and himself from the danger created by Defendants' Robbery by Extortion.

1871. Email Subject 10/24/19 2019-10-24 1:41pm "help, ASKS" [D902**] Joshco

1872. {D902Pm_joshco_zero: auto, caption: "What would be helpful is to be able to 1. meet with someone in lambda to review the evidence (which I have a lot of), relevant laws, and my current plan of action with respect to the discrimination. 2. A hope I have is to be able to make the volunteer management and sync tools, which have real customers, available free or cheap to LGBT organizations. Maybe getting hired by an org to do this, as a zero dollar acquisition.", x: "Josh Cohen p0 10/24/19 2:30pm"}

1873. Josh Cohen 2:30p [D902]

This was shortly followed up by digital pokes from X and his ex-military pal, the latter feels like a gun being pointed at my head. I am REALLY afraid of them

1874. J. Cohen 2:41p [D902]

It's also a dangerous example of disparate treatment, where one protected class can engage in unchecked lethal predatory behavior against another.

1875. Kevin Jennings 3:23p [D902]

I dont officially start until December 2. Let me follow up then.

1876. joshco 3:29p [D902]

Can you break protocol and pass this along? I dont think I can wait that long. Ive begun drafting a complaint for violations of Philadelphias anti-discrimination law, and am not comfortable slipping a month+. There are also some interrelated actions where statute of limitations are tight.

1877. Had Lambda examined the fact, it would have revealed that Defendants' behavior violated Philadelphia's Anti-Discrimination law. Disparate Treatment and Disparate Impact are prohibited. The retaliation on the sidewalk, via "Josh Cohen sexually harasses women" was part of a robbery by extortion scheme which is prohibited under Philadelphia's Hate Crimes ordinance.
1878. Instead Lambda provided references for organizations in Philadelphia, including the Mizsoni Center. Plaintiff contacted Mizsoni and conversations were immediately productive and likely would have exposed the Disparate Impact scheme and violations of Philadelphia anti-discrimination ordinances.
1879. Kevin served as Deputy Undersecretary in President Obama's Administration. Higher Ground Labs was founded by the Obama cohort. As a Deputy Undersecretary, Kevin Jennings is in a king-maker position.
1880. Kevin Jennings is also Chair of the Harvard Alumni Committee. Dimitri Mehlhorn, who's funding pitch Plaintiff refused is also a Harvard Alumni.
1881. Higher Ground Labs is one of the enterprises that OSDI's essential IP and economy of scale ended up being invested in.
1882. Kevin Jennings furthered the conspiracy by at least looking the other way while another LGBT was terrorized, coerced, and had is property misappropriated.
1883. Kevin Jennings did a favor for the DNC by engineering an "alternate ending" for an external network effect that had become a runaway success and thus a threat to the gatekeeper powers the DNC historically uses to maintain its dominance, and the other big gorillas yearned for.
1884. He also did a favor for the Obama cohort that founded HGL, and the Billionaires funding it.
1885. When Kevin Jennings joined the conspiracy, on or before the DNC 2016 Convention, he was Executive Director of Arcus Foundation, one of two dominant funders of the gay rights movement.
1886. In this market, doing those kind of favors are valuable currency that would make a fundraiser more valuable to prospective employers. By hiring Kevin, Lambda Legal can reap those benefits.
1887. **Extortion No Way Out** Kevin Jennings used his new position as CEO of Lambda Legal to ensure that Lambda's Help Desk did not investigate the facts. Kevin used his position, influence, and connection to wealth and power to conceal the kind of unjust harm Lambda Legal is supposed to prevent.

V.A.2.bb Civil Rights Complaint

1888. Plaintiff began the intake process at the Philadelphia Human Rights Commission. In June 2020, the commission decided to open a formal investigation into Netroots Nation 2019. Plaintiff again sought help from Kevin Jennings in his new position as CEO of Lambda Legal.

Philadelphia" [D1603*]  Joshco

1890.   Josh Cohen  10:55p [D1603]

Kevin,
The Philadelphia Human Rights Commission is going to open an official investigation into my complaint against Netroots Nation. The violations include retaliation via denial of access, using policies which create disparate impact, aiding, abetting, and inciting others to engage in unlawful practices.
I need help. I'd like to open a dialog and share the formal complaint with Lambda, for comment/feedback before it moves forward.
I've passed the intake, internal staff and legal review, and they've drafted the formal complaint. We're doing some wordsmithing right now.

1891. Instead of responding directly, Kevin had Stefan Johnson, Lambda Legal's Director of National Help Desk.

1892.  Email Subject  06/19/20  2020-06-19 4:30pm "Your Email to Lambda Legal" [D1605*]
 Stefan Johnson

1893.   Stefan Johnson  4:30p [D1605]

Dear Josh Cohen:
I received your email message addressed to me and Lambda Legal CEO, Kevin Jennings where you request that Lambda Legal review your charge with the Philadelphia Human Rights Commission. Unfortunately, Lambda Legal is not able to grant that request. We would only be able to provide that type of service to those we represent. As indicated in our last email correspondence dated October 30, 2019, your request for representation was reviewed and we are not able to represent you. This is why I provided you with local Philadelphia attorneys who might be able to assist you. I am sorry I could not be of greater assistance.
Stefan Johnson Director of National Help Desk

1894. Lambda Legal, like other political organizations participate in this market as customers and attend conferences including Netroots Nation. As a result, their decision to look the other way signals that Defendants could do whatever they wanted.

1895. **Extortion No Way Out** Again, Lambda refused to do anything about an increasingly dangerous situation for Plaintiff.

V.A.2.cc Netroots Nation 2020

1896. Had Plaintiff been able to attend Netroots Nation 2020, he would likely have attended the following sessions. He would have recognized the conspiracy of Action Network, DNC, The Movement Cooperative, AFL-CIO and DailyKos, who were engaged in the backstage racketeering.

V.A.2.cc.1 Front Stage

1897.  Event  08/13/20  2020-08-13 "NN20 HOW NONPROFIT, COOPERATIVE TECH CAN HELP US WIN UP AND DOWN THE BALLOT" [D502]  ;  Nn20 Agenda

1898.   NN20 Agenda  12:01a [D502]

While the progressive tech ecosystem has traditionally been dominated by a for-profit, vendor-based model of tech development, an alternative model has emerged that holds enormous potential to close the knowledge and resource gap





for down-ballot campaigns in 2020. By embracing a nonprofit, cooperative model of tech development, Action Network, the DNC, ActBlue and others are working to deliver the tools necessary for local and state-level campaigns to run robust email fund-raising campaigns to elect progressives up and down the ballot.

1899.   12:02a [D502]

Jenn is the Chief Community Officer at The Movement Cooperative. She has spent more than two decades working at the intersection of advocacy, politics and digital campaigning. She started in the progressive movement as Deputy Director of Internet Operations of Gore 2000 when she was just 20.

1900.   12:02a [D502]

Mari works with keystone Action Network partners, the DNC, AFL-CIO and Daily Kos to brainstorm, prioritize and build the yearly Action Network roadmap through a cooperative development model.


1901.  Conference Session  08/15/20  2020-08-15 "Action Network,Action Network - Were super excited for this #NN20..." [D2005]  facebookapp

1902.   12:00p [D2005]

Were super excited for this #NN20 organizing training! Join #ActionBuilders Seth Pinckney and Liz Riley as they cover the leaderful organizing modelincluding assessments, one-on-ones and...,Were super excited for this #NN20 organizing training! Join #ActionBuilders Seth Pinckney and Liz Riley as they cover the leaderful organizing...

V.A.2.cc.2 Back Stage

1903. Plaintiff registered on 8/13/2020 and his order was refunded 19 minutes later.

1904.  Document  08/13/20 "Registration Confirmation for Netroots Nation 2020 (At Home)" [D276]

1905.   Eventbrite [D276]

Josh,
your order is confirmed


1906.  Document  08/13/20 "Order REFUNDED for Netroots Nation 2020 (At Home)" [D275]

1907.   Eventbrite [D275]

Your refund has been processed

V.A.2.dd 2021 GitHub

1908. On December 3, 2020, Plaintiff receives email from the DNC (DCCC), requesting a meeting to discuss OSDI.

1909.  Email Subject  12/03/20  2020-12-03 11:58am "Questions about OSDI" [D391**] 
Chris Goddard

1910.   Chris Goddard, DCCC  11:58a [D391]

Hi Josh, My name is Chris Goddard and I'm currently the data engineering and reporting director at the DCCC.

I was talking to a friend yesterday about difficulties and challenges in the progressive tech space and the lack of consistent data standards. He mentioned OSDI, which I hadn't heard of before.

1911.   C. Goddard  11:59a [D391]

Although it looks like it's not really a super active project anymore I would really love the opportunity to talk to you about your experience in creating it.




1912.   C. Goddard  11:59a [D391]

Would you have time for a 30 minute zoom call tomorrow afternoon or early next week?

1913. Plaintiff was spooked by Chris's email; it felt like a trap. Plaintiff felt that *something* must have happened to induce the DNC to email Plaintiff, and began searching. Plaintiff then discovered Action Networks announcement of it's Partner Integration Program.

1914. **Property theft**

1915. For the first time Plaintiff was aware of, Action Squared treats OSDI as its own property. The program announcement, which is the property element of extortion is attributed to a woman, Amy Chin-Lai.

1916.  Web Page  12/02/20 "Integrating your platform with Action Network is now easier than ever, Integrating your platform with Action Network is now easier than ever | by Amy Chin-Lai | Powering Progressive Movements | Medium" [D449]  Medium

1917.  Amy Chin-Lai, Action Network [D449]

Who can be a part of the Integration Partnerships Program?
Any developer, consultant, or platform that wants to build an integration with Action Network.

1918.   Amy ChinLai, <https://medium.com/amychinlai> [D449]

Integrating your platform with Action Network is now easier than ever, Integrating your platform with Action Network is now easier than ever | by Amy Chin-Lai | Powering Progressive Movements | Medium

1919.  A. Chin-Lai [D449]




Integrations (like the ones we already have) allow our partners to use tools that are best for their given purpose, whether it's a fully-featured CRM, peer-to-peer texting tool, phone banking, or advocacy tool.

1920.  A. Chin-Lai [D449]

I'll work closely with other platforms to improve and maintain integrations and work to integrate with more platforms for our partners.

1921. **Disparate Impact** Though Brian gets the retweets on Twitter, he put his female employee in the path of legal jeopardy.

1922. Brian Young announces the program on Twitter.

1923.  Tweets  12/03/20  2020-12-03 12:58pm "Tweets: Partner Program Announcement" [D501]





1924.   @TheActionNet  2020-12-02 1:01pm [D501]

Introducing the Integration Partnerships Program! Open to any developer, consultant, or platform that wants to build an integration with Action Network.

1925.   Brian Young  2020-12-03 12:58pm [D501]

Focusing on integrations and being a part of an overall tech ecosystem is a big key to long term innovation and stability in progressive technology

1926. Plaintiff replied to the DNC email on January 7th, 2021.

1927.  Email Subject  01/07/21  2021-01-07 5:50am "Questions about OSDI" [D485*]  Chris Goddard

1928.   Josh Cohen  5:50a [D485]

Hi Chris, Thanks for the email. Happy holidays. Yeah, the lack of consistent data formats is a huge challenge. That was what I experienced back at the Washington gay marriage campaign in 2012. That of course, is not unique. Its just what happens to every campaign, or really, every project on the planet, and everyone suffers. There needs to be a CSV Trauma suicide prevention hotline somewhere... Anyway, why don't you send me some more specific questions in email. Thanks. Josh

1929. Three days later, a new GitHub issue was opened on OSDI's GitHub repository.

1930.  Github  01/11/21  2021-01-11 "Response to PUT on api.opensupporter.org * Issue #338 * opensupporter/osdi-docs" [D532]  GitHub

1931.   Highfalutin  5:23a [D532]

Hello, I'm currently working on an extension to CiviCRM which will allow for syncing with remote OSDI services. I have been doing some testing against api.opensupporter.org/hb2/browser.html. When I make a PUT request to a person's endpoint, for example to add an address, the operation succeeds but the server returns a blank response

1932.   J Ro  3:13p [D532]

Hi there, this project is somewhat defunct, and there is no demo server to test against. That said, there's already a lot of Civi work that's been done that you probably should start with: civicrm.org/extensions/civicrm-osdi-contact-sync

1933. **Wire Fraud** Jason Rosenbaum's statement furthers the conspiracy by concealing the fact that OSDI was destroyed by his and co-Defendants' racketeering activity.

1934. **Extortion Damage** The statement continues the damage to OSDI.

1935.   Highfalutin  5:36p [D532]

Thanks! Yes, I'm taking advantage of that previous work where I can. Are you saying that the OSDI standard is defunct, as in you don't expect it to be adopted by anyone else?

1936.   J. Ro  6:02p [D532]

I'm not sure anyone can really answer that. We (Action Network) already implement it and continue to expand on our implementation. Others do too. Perhaps others will pick up the standard.





1937.   Highfalutin  6:58p [D532]

I'd love to hear more about what you mean by the project being defunct. I got the invitation to Action Network's Integration Partnerships Program and just signed up, so perhaps we'll be in touch there.

1938.   J. Ro  7:07p [D532]

I mean, check out this repo, there's been no updates in years, I don't think the committees still meet, etc...

1939. This GitHub conversation continued on February 8, 2021.

1940.  Github  02/08/21  2021-02-08 "Action Networks Coercion (was Response to PUT on api.opensupporter.org) * Issue #338 * opensupporter/osdi-docs" [D531] 
GitHub

1941.   Highfalutin  2021-01-11 6:58pm [D531]

I'd love to hear more about what you mean by the project being defunct. I got the invitation to Action Network's Integration Partnerships Program and just signed up, so perhaps we'll be in touch there.

1942.   Joemcl  2021-02-08 10:32pm [D531]

Hi @highfalutin ! It's great that you're building on the previous work of @4ndygu to connect CiviCRM with remote OSDI supporting services. I am and was very involved in the CiviCRM community... I think the most active and interesting work happening lately to advance a standard (that also builds on and supports the OSDI concept) is Parsons, see move-coop.github.io/parsons/html/index.html and in particular this - move-coop.github.io/parsons/html/action_network.html . It would be super cool to create a Parsons connector for CiviCRM!

1943. **Discovery** Joe McLaughlin's statement about Parsons was when Plaintiff discovered Parsons.

1944. **Extortion Theft** The Parsons Action Network connector is an example of OSDI being used as Action Network's proprietary API.

1945.   Joemcl  2021-02-15 10:01pm [D531]

Unless and until you make a clean break from the OSDI project and the organization, such as it exists now, and I'm not sure that it does exist, I have little reason to believe that any additional organizations will implement any of the OSDI spec.

1946. **Extortion Threat Communicated** Joe McLaughlin's statement demands that Plaintiff abandon the project, and thus his property rights, so the IP could be considered "abandoned". If Plaintiff did not, the project would not recover or would face more damage.

1947. As stated above, Plaintiff decided to see if there was activity on the OSDI Slack. Plaintiff discovered a posts from Woodhull advertising his Action Network REST API library, which in reality is OSDI.

1948.  Chat  12/07/20  2020-12-07 5:27am "OSDI Slack" [D547]

1949.   5:27a [D547]

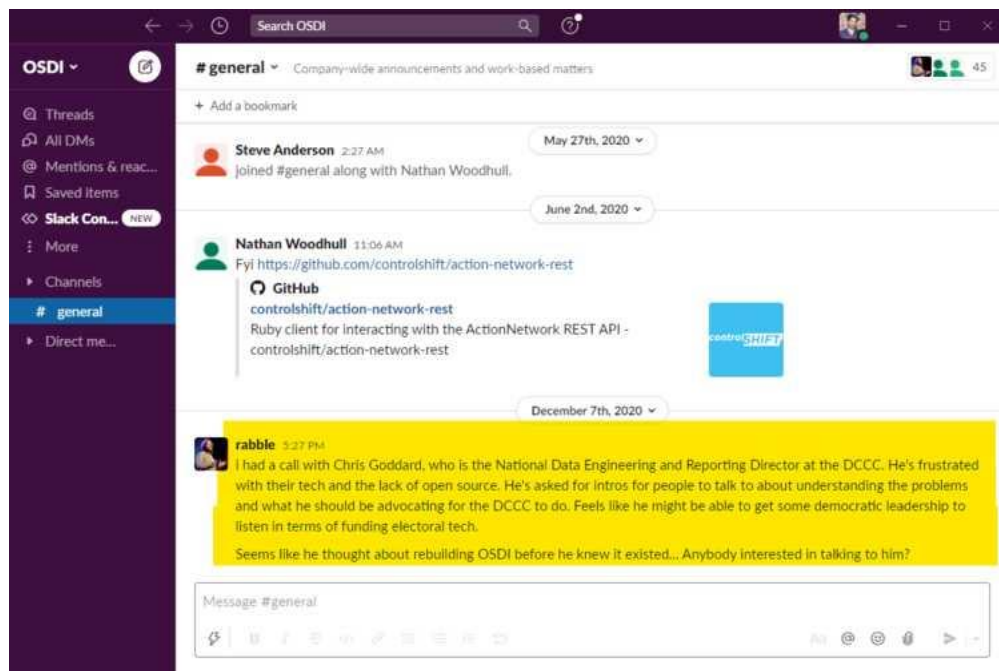
2020_12_07_osdi_slack_rabble_goddard_dccc_ping

1950.   Nathan Woodhull, Control Shift  2020-06-02 5:27am [D547]

Ruby client for interacting with the Action Network REST API

1951. N. Woodhull 5:27a [D547]

//github.com/controlshift/action-network-rest



"D547Pboth" [D547]

1952. On 4/27/2020 Woodhull published the first commit for his library. When Plaintiff visited the link at the time he discovered the message on Slack, the latest commit was 5/6/2020. This date was just over the 300 day statute of limitations for Philadelphia's civil rights complaints.

1953. Github 05/06/20 2020-05-06 "GitHub - controlshift/action-network-rest: Ruby client for interacting with the ActionNetwork REST API" [D303] Github

1954. Nathan Woodhull, Control Shift 12:00a [D303]

ActionNetworkRest Gem: Ruby client for interacting with the ActionNetwork REST API from the engineering team at ControlShift.

1955. **Property Theft** Nathan's misappropriation of OSDI as Action Network's proprietary API is theft, as it violates Plaintiff's copyright. This is also the goal that Nathan Woodhull and Action Network had from the outset.

V.B Action Squared's Infringement

1956. Between 2014 and Q1 2020, Action Squared and its co-conspirators engaged in racketeering activity to gain control of the project, operate the project, and invest the proceeds into their own enterprises, including Action Squared.

1957. Action Squared is a joint development effort between Action Network and AFL-CIO, which contains two products Action Network and Action Builder.

1958. In November 2020, Action Network launched its partner integration program. In its announcement, Plaintiff's authorship is repudiated. This is the first public example Plaintiff discovered which treats the OSDI IP as their own proprietary API and ecosystem.
1959. <https://web.archive.org/web/20201202175835/https://medium.com/powering-progressive-movements/integrating-your-platform-with-action-network-is-now-easier-than-ever-ca24ba32ce69>
1960. The license for the IP is posted here:
1961. <https://github.com/opensupporter/osdi-docs/blob/gh-pages/license.md>
1962. The license itself was fraudulently induced by MoveOn during the Abuse of Process and Robbery by Extortion.
1963. Action Network's use of the OSDI IP can be found at: *
<https://web.archive.org/web/20201216013651/https://actionnetwork.org/docs/v2/> *
https://web.archive.org/web/20201216022013/https://actionnetwork.org/docs/v2/person_signup_helper
1964. In Summer 2022, ActionBuilder released their API
1965. https://web.archive.org/web/20220914003524/https://www.actionbuilder.org/docs/v1/person_signup_helper.html
1966. <https://web.archive.org/web/20220914003447/https://www.actionbuilder.org/docs/v1/index.html>
1967. Both exceed the Copyright License. They are used for commercial purposes, allowing these products to leverage the economy of scale created by the OSDI project, the bulk of which are Plaintiff's contributions.
1968. Defendants racketeering activity, concealment, and attempts to undermine the project are indicative of willfulness.
1969. These infringe on Plaintiff's copyright registrations: Txu 2-249-951 and TX0009315996.
1970. Action Network's original implementation was based on source code provided by Plaintiff which is copyrighted, registration TXu 2-386-143. Discovery will reveal if that code is still in use.
1971. See Exhibits 1,2,3,4.

V.C Bluelink's Infringement

V.C.1 Bluelink's Wire Fraud

1972. Bluelink's API specification is posted on Github Pages. In its Data Models section it states:
1973.  Github  11/17/21  2021-11-17 "Bluelink API Specs (BETA),Bluelink API Specs (BETA) | docs" [D1192]  docs
1974.   12:00p [D1192]

Bluelink Data Models Bluelink uses flexible and verbose data models. All fields are nullable and may be omitted if no data exists, unless explicitly stated otherwise. The

structure may seem complicated for simple use cases, however it supports more complicated uses such as systems supporting multiple emails for a single individual.

1975. The above paragraph refers to the expression of the data models and its structure. The Person object contains subordinate objects for related items like phone numbers, email address, and postal addresses. This structure is copied from OSDI, and whereas Bluelink implies that these are features created by Bluelink, they are actually the work of the OSDI contributors.

1976.   12:00p [D1192]

By Default, Bluelink writes data to partners in these formats. For partners with existing APIs (e.g., NGPVAN), we can easily and correctly convert between their format and ours. Therefore, we strongly encourage new partners to use these formats when building new APIs

1977. Bluelink is recommending that when other applications or platforms develop inbound or "write" APIs, that they adopt Bluelink's API. Prior to the destruction of OSDI and its external network effect, Bluelink would recommend developers comply with OSDI.



1978. Wire Fraud Bluelink is co-opting OSDI, and thus Wire Fraud.

1979. Bluelink's API is essentially OSDI Person Signup Helper. Its infringement can be seen literally in its definition of the Person object. Its "Webhook" is non-literal infringement of Person Signup Helper. For comparison:

1980.  Specification  12/29/14 "osdi_docs person_signup.html" [D1966]

1981.  [D1966]

osdi_docs person_signup.html

1982.  Specification  01/01/17 "Open Supporter Data Interface Documentation : Person" [D1967]

1983.  [D1967]

Open Supporter Data Interface Documentation Person

V.C.2 Bluelink's Copying

1984. Bluelink's copying can be seen by comparing its definition of Person to OSDI Person

Bluelink API Specs (BETA) | docs

Person Object

This is the top-level person object. There are nested fields that may be repeated.

Field Name	Description	Type
given_name	First name / given name	String
family_name	Last name / family name	String
salutation	Preferred greeting / envelope name	String
emails	Email addresses	Array of Email Objects
identifiers	External identifiers, e.g., VAN:MyVoters ID	Array of Identifier Objects
phones	Phone numbers	Array of Phone Objects
addresses	Postal addresses	Array of Address Objects
tags	Simple tags that apply to the person, e.g., DONOR	Array of Tag Objects
flags	Similar to tags, but with more configuration options	Array of Flag Objects
employer	Name of the person's employer	String
employer_address	Postal address of the person's employer	Address Object
occupation	Occupation	String
source	Original source of this record. E.g., "Salesforce"	String
birthdate	ISO 8601 formatted birth date: YYYY-MM-DD	String
geographies	Geographical data, e.g., a congressional district	Array of Geography Objects
scores	Numeric scores, e.g., partisanship model	Array of Score Objects
details	Additional data	Details Object
	Array of actions associated with this person, such as	Custom object

Not secure | opensupporter.github.io/osdi-docs/people.html

People Fields

A list of fields specific to the Person resource.

Name	Type	Description
family_name	string	The person's last name.
given_name	string	The person's first name.
additional_name	string	An additional name not included in family or given. Usually a middle name.
source	string	Information about the source where this person record was acquired. Example: "facebook-ad-october"
ethnicities	strings[]	A unique string array representing a person's ethnicities.
		Unique string array of RFC5646 tags representing the
birthdate	Birthdate	An object hash representing the birthdate of the person.
employer	string	The name of the person's employer.
work_title	string	The person's job title at work, eg 'Developer', 'Field Director', 'Minion'
work_department	string	The department the person works in, eg 'Engineering', 'OSDI Fire Department'
employer_address	Employer Address	An object hash representing the postal address of the person's employer.
postal_addresses	Postal Addresses[]	An array of postal address object hashes associated with the person.
email_addresses	Email Addresses[]	An array of email address object hashes associated with the person.
phone_numbers	Phone Numbers[]	An array of phone number object hashes associated with the person.
profiles	Profiles[]	An array of profile object hashes for online services related to the person.
custom_fields	Custom Fields	An object hash of key/value pairs associated with the person created by a user rather than a service or vendor.

Bluelink Person compared to OSDI Person

Phone Numbers

BLUELINK

Bluelink API Specs (BETA) | docs

+

← → ↺ 🔒

bluelinkdata.github.io/docs/BluelinkApiGuide#details-object

Phone Object

Field Name	Description
id	Phone ID, if applicable
id_source	System this ID is from, e.g., "VAN:myCampaign"
primary	True if this is known to be the primary phone
number	Number; may or may not include country code
description	Free-form description
type	Type, e.g., "Home", "Work", "Mobile"
country	ISO 3166-1 Alpha-2 country code
sms_capable	True if this number can accept SMS
do_not_call	True if this number is on the US FCC Do Not Call Registry
details	Additional data

osdi

Data Interface

+

Not secure

opensupporter.github.io/osdi-docs/people.html

Phone Fields

Name	Type	Description
primary	string	Denotes if this is the primary phone number. A person can have only one primary number.
number	string	The phone number of the person. Must including country code and must be numeric characters only.
extension	string	An optional associated extension for the number.
description	string	A freeform description of the phone number.
number_type	flexenum	The type of phone number. One of "Home", "Work", "Mobile", "Other", "Daytime", "Evening", "Fax", or another value.
operator	string	The operator or carrier associated with the number. <i>Example:</i> "Verizon"
country	string	The country code according to ISO 3166-1 Alpha-2.
sms_capable	boolean	True if the number can accept SMS text messages.
do_not_call	boolean	True if this number is registered on the US FCC Do Not Call Registry.

Bluelink vs OSDI Phone Numbers comparison

BLUELINK Postal Addresses {osdi}

Address Object		Postal Addresses		
Field Name	Description	Name	Type	Description
id	Address ID, if applicable	primary	boolean	Denotes if this is the primary address. A person can have only one primary address.
id_source	System this ID is from	address_type	enum	The type of address. One of "Home", "Work", or "Mailing".
primary	True if this is known to be the primary address	venue	string	Optional venue name at the address, useful for names of buildings. (ex: Smith Hall)
type	Type, e.g., "home" (registration), "mailing"	address_lines	strings[]	An array of strings representing the person's street address.
venue	Venue name, if relevant	locality	string	A city or other local administrative area.
address_lines	Street address including optional second line, e.g., unit number	region	string	State or subdivision codes according to ISO 3166-2 (Final 2 alpha digits).
city	City or other locality	postal_code	string	The region specific postal code, such as a zip code.
state	State in ISO 3166-2 format or other regional subdivision	country	string	The country code according to ISO 3166-1 Alpha-2.
postal_code	Zip or other postal code	status	enum	A value representing the status of the address. One of "Potential", "Verified", "Bad", or "Past".
country	ISO 3166-1 Alpha-2 country code	last_verified_date	datetime	A value representing the last verified date of the address.
status	A value representing the status of the address. One of "Potential", "Verified", or "Bad"			

073c_GantitrustPbl_postal_addresses

Email Addresses

Email Object		Email Addresses		
Field Name	Description	Name	Type	Description
id	Email ID, if applicable	email_addresses.primary	boolean	Denotes if this is the primary address. A person can have only one primary address.
id_source	System this ID is from. If omitted, assumed to be Bluelink	email_addresses.address	string	The email address for the person.
primary	True if this is known to be the primary email	email_addresses.address_type	flexenum	The type of email address. One of "personal", "work", "other", or another value.
address	Address, e.g., "user@gmail.com"	email_addresses.status	enum	Indicates whether this email address is subscribed to receive emails in the system, either on one or more email lists. One of "subscribed", "unsubscribed", "bouncing", "spam complaints".
type	Type, e.g., "personal", "work"			
status	One of "Potential", "Subscribed", "Unsubscribed", "Bouncing", or "Spam Complaints"			

d210_GantitrustPbl_email_addresses

1985.

Bluelink used different scheme than Mobilize and New/Mode. Bluelink copied parts of the OSDI spec into their API specification, but make no mention of OSDI. They also made small changes in their specification. Therefore, it is easy for Bluelink's developers to engineer their code to accept both OSDI compliant applications as well as those

coded to the slightly different definition in Bluelink's specification.

1986. OSDI resources are expressed as JSON objects which contain keys that have values. These values can be numbers, boolean values or strings like "hello". The values can be JSON objects that contain their own keys, or arrays of JSON objects with their own keys.

1987. An example of a JSON object which is a partial OSDI Person:

```
{
  given_name: "Josh",
  family_name: "Cohen",
  phone_numbers: [
    {
      number: "+12125555555",
      primary: true
    }
  ]
}
```

1988. In the above example, the top level object contains keys given_name, family_name and phone_numbers.

1989. In an earlier commit of the OSDI specification, the phone numbers object is labelled "phones", however in the published version it is labelled "phone_numbers".

1990. An example of Bluelink's scheme is that instead of the key "phone numbers", "phones" is used.

1991. When writing source code to parse the JSON object, a developer can use pattern matching mechanisms to accept either "phones" or "phone_numbers" when searching for keys.

1992. When searching for the key that contains the the phone number objects, a source code can be easily written which will locate either "phones" or "phone numbers".

1993. One example of pattern matching is "regular expressions". An example regular expression which will match "phones" or "phone_numbers":

```
/phones|phone_numbers/
```

1994. In english, the vertical bar, or pipe symbol "|" is a logical OR operator.

V.C.3 Bluelink's Copying is Exploitative not Transformative

1995. In 18-956 Google LLC v. Oracle America, Inc. {D1036: i}, the Supreme Court evaluated the purpose and character of the copying, stating on page 3, point 3 in the decision's syllabus.

The inquiry into the "the purpose and character" of the use turns in large measure on whether the copying at issue was "transformative," i.e., whether it "adds something new, with a further purpose or different character." Campbell, 510 U. S., at 579... Google's purpose was to create a different task-related system for a different computing environment (smartphones) and to create a platform — the Android platform — that would help achieve and popularize that objective. The record demonstrates numerous ways in which reimplementing an interface can further the development of computer programs. Google's purpose was therefore consistent with that creative progress that is the basic constitutional objective of copyright itself. Pp. 24–28.

- 1996. The effect of Bluelink's copying is that Bluelink itself can exploit the existing ecosystem of OSDI applications, including those written for Action Squared's products, since they are plagiarized OSDI. With little to no work, Bluelink is compatible with those applications.
- 1997. Bluelink made By making small incompatible changes while concealing the fact that it is using OSDI and doesn't describe the OSDI equivalents.
- 1998. As a result, connectors built by developers will not be wire-compatible with OSDI implementations without addition code, even if they were aware of OSDI.
- 1999. This allowed Bluelink to get a head start, while at the same time locking developers into their API.
- 2000. Bluelink's copying doesn't fulfill the transformative goal of "adds something new, with a further purpose or different character." as stated by the Supreme Court.
- 2001. In fact, Bluelink's API is a subset of OSDI. What it describes as its Webhook, is non-literal infringement of OSDI Person Signup Helper. So not only does it not add something new, or have a different character, it is less featureful than if it had simply built an OSDI conformant implementation.

V.C.4 Bluelink's Copying Decreases the Value of the Copyrighted Work

- 2002. The Supreme Court also stated in point 4 of the syllabus:

The fourth statutory factor focuses upon the "effect" of the copying in the "market for or value of the copyrighted work." Here the record showed that Google's new smartphone platform is not a market substitute for Java SE. The record also showed that Java SE's copyright holder would benefit from the reimplementing of its interface into a different market... Pp. 30–35.
- 2003. Bluelink is a competitive product to Plaintiff's Hero Synchronizer, as well as other integration platforms including Parsons and DaisyChain, rather than a product in a different market.
- 2004. The value of OSDI was the external network effect that was created. Developers could write code to build an OSDI connector and be compatible with other OSDI compliant platforms, which included Action Network, NGPVAN and others, as well as PDI had it not been locked out.
- 2005. The value has been destroyed. Since Defendants' racketeering has destroyed the external network effect, and products have their own proprietary APIs, there is no longer one connector that a developer can build with a multiple return on investment.
- 2006. Bluelink, Action Squared, Mobilize, and New/Mode all reused OSDI in exploitative ways and added proprietary extensions. So even if a developer decides to build an OSDI connector, it is unlikely to be compatible with those products.

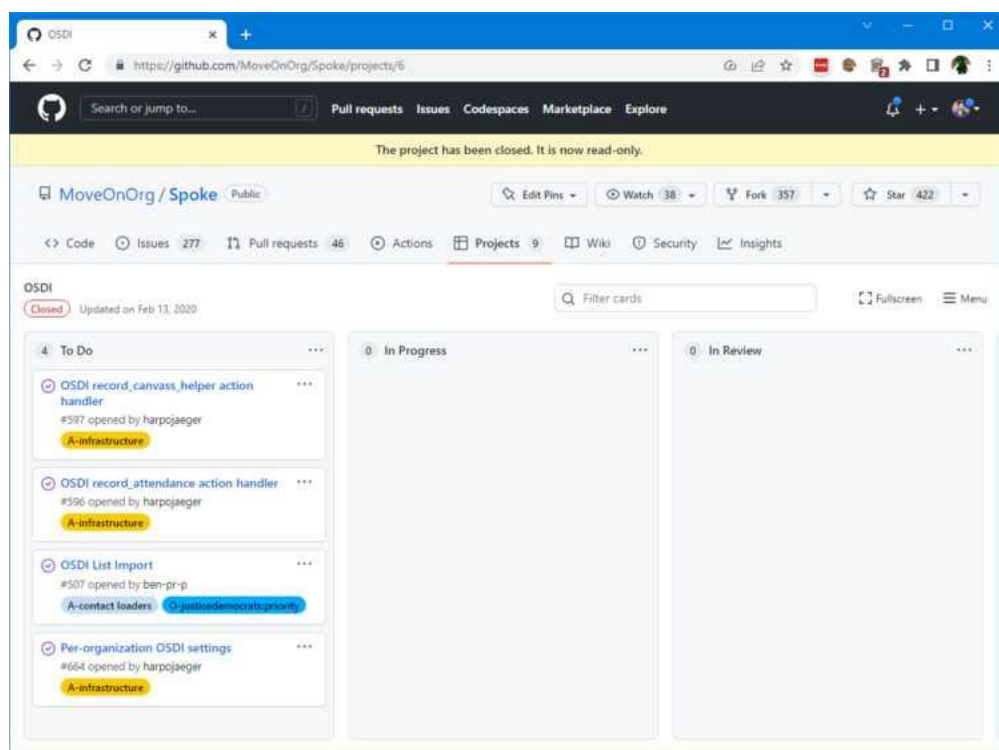
V.C.5 Bluelink's Copying is Essential to its Business

- 2007. Bluelink describes itself, and functions as a "universal adapter". Applications that use Bluelink code connectors that conform to Bluelink's API specification or implement inbound APIs conforming to Bluelink's specification.







2008. Therefore it is an essential part of Bluelink's ability to engage in commerce.
2009. Bluelink's Wikipedia page, cites the Wall Street Journal, stating that Lightrail has been made available to all state parties and national candidates under a trial contract, and Party insiders have described it as "common in Democratic politics" {D1207: i}

V.D Active Misleading




2010. MoveOn's Active Misleading began on February 12, 2018, the same day as the Abuse of Litigation Tweetstorm.
2011. MoveOn created an OSDI project within its Spoke repository with 4 OSDI subitems. These led to work items and pull requests implementing OSDI support in Spoke. Plaintiff would eventually begin contributing to them through late 2019.
2012.  Github  02/12/18  2018-02-12 "OSDI GitHub, OSDI MoveOnOrg/Spoke" [D1920]
 GitHub








"MoveOn Spoke OSDI Project" [D1920]




2013.  Github  05/22/18  2018-05-22 8:59pm "OSDI record_canvass_helper action handler Issue #597 MoveOnOrg/Spoke, OSDI record_canvass_helper action handler Issue #597 MoveOnOrg/Spoke GitHub" [D1890]  GitHub
2014.  Harpo Jaeger  8:59p [D1890]




An OSDI `record_canvass` handler would connect conversations in Spoke to, e.g., survey questions in VAN.
 Ultimately, this will entail updates to the database model for questions to accommodate an `external_id` for both questions and responses (see, e.g. <https://developers.ngpvan.com/osdi#people-post-people--personid--record-canvass-helper>).

2015.  "Also generated from a discussion at Prog. Hack Night. This is a more involved update than #596. To be production-ready, the questions UI would need to expose the `external_id` fields for editing, or, even better, use the OSDI questions collection GET endpoint (<https://opensupporter.github.io/osdi-docs/questions.html#scenario-retrieving-a-collection-of-question-resources-get>) to let the user graphically map the desired question into the script somehow."  H. Jaeger  9:06p [D1890]

2016.  "@harpojaeger really cool, cc: @deasterdaywfp @codygordon @j-ro"  Joe McLaughlin  2018-05-30 4:03pm [D1890]

2017.  "I mostly created this issue to keep notes for myself on what this feature will entail, but I do want to build it (I think #596 would come first)."  H. Jaeger  10:32p [D1890]

2018.  "When creating a new campaign, present the user with an option to import survey questions from an OSDI instance, and then automatically create questions on the Spoke script that map to OSDI questions."  H. Jaeger  2018-06-11 1:06pm [D1890]

2019.  "The quick-and-dirty version of how this works: 1) at campaign creation, give user a button that says something like "fetch OSDI questions" or whatever. 2) clicking the button fetches the questions. 3) probably provide some search/filter functionality to make it easier to find the desired question. 4) user can select a question and it's added into the script, along with the various question and response IDs necessary for an action handler to send responses back to the OSDI system."  H. Jaeger  2018-06-20 3:34pm [D1890]

2020.   H. Jaeger  2018-06-22 9:49am [D1890]

In order to map questions to OSDI survey questions, I need to store the question ID and response ID somewhere in the interaction steps. I can see three possible ways of doing this:

1. Use the question and response IDs as the interaction step IDs in Spoke. This is a bit hacky. It entails creating a `mapQuestion` function that, given an OSDI question object, creates new interaction steps and sets their IDs accordingly (probably entailing slight modifications to the current `addStep` function [here](#), perhaps to add a default `newStepID` param or the like -- it would be backwards-compatible).

Pros of this approach: Little changes to existing architecture, no DB schema updates.
Cons of this approach: There might be other parts of the app that depend on the interaction step IDs being formatted a particular way. Conceptually, this is a misuse of an existing field, which makes me nervous.

2. Creating new columns on `interaction_step` to hold these values (probably `osdi_mapped_question` and `osdi_mapped_response`).

Pros of this approach: Cleaner and less hacky.
Cons of this approach: Schema updates are involved. Also requires changes to some GraphQL mutations.




3. Creating a new table, `osdi_interaction_step_mappings` or the like. Similar to the `user_organization` table, this would map interaction steps to OSDI objects by ID.

Pros of this approach: Cleanest of the three. OSDI data is nicely hidden away from the rest of the app, which is consistent with this being an optional module, not a core application feature. New queries and mutations can be written to handle this data without needing to modify existing ones in place.
Cons of this approach: None that I've thought of so far.
 Right now, 3 is the best option in my estimation.

2021.   Schuyler Duveen  11:11a [D1890]

If it were only one column, I think 2 would be preferable, but if it's multiple, then 3 sounds better.




Though what happens when/if you edit the script from spoke (either the question or response)? Would that update the original backend? ignore it? remove the mapping? If it does anything back to the OSDI source or the mapping, then maybe it should be the same table/columns -- because then you need that info anyway when saving a script and it's just a pain to load it from someplace separate.




2022.  "My intention at the moment is to have questions that are imported from OSDI be uneditable, or at least clearly indicate that changes made to their wording won't sync back to VAN, so that the OSDI system is the single source of truth."  H. Jaeger  11:13a [D1890]




2023.   S. Duveen  11:29a [D1890]




hm, so then the client needs to know if the script is editable. In that case, I might lean toward 2 with three columns:




`source, external_question_id, external_response_id` -- and for you, `source='osdi:<originSystem>'` or something.




2024.  "Right, I guess adding new columns to an existing table has the advantage of keeping us at one query for a given interaction step, and still providing the information needed to render elements as editable or uneditable."  H. Jaeger  11:33a [D1890]




2025.  "Two questions that emerge for me based on the idea of a `source` column: in what other scenarios would this be used? And are there OSDI best practices in terms of terminology or how to store external identifiers here? Maybe that's a question for `[j-ro?]`."  H. Jaeger  12:17p [D1890]

2026.  "I think generally when you do sync (say sync of people) you'll want to store the remote's ID for the resource on the local and store the local's on the remote, but for different resources like this you may have different scenarios."  Jason Rosenbaum  12:18p [D1890]

2027.  "AFAICT, I don't think there's any added value to sending Spoke interaction step IDs into an OSDI system at this point."  H. Jaeger  12:20p [D1890]

2028.  "For questions probably not, and it really only matters in the sync scenario, when you're trying to keep a record in sync and changes may happen on either side."  J. Rosenbaum  12:23p [D1890]




2029.  "[`schuyler1d?`] it looks like action handlers get the question response and interaction step objects -- I'm assuming fields I add to those in the DB can be included in the queries? Want to make sure I'm not committing to a structure that will be hard to work with when I get to the point of actually making the OSDI API requests (which will entail a new action handler)."  H. Jaeger  12:35p [D1890]






























2030.  "Also @schuyler1d how does the ``answer_actions`` column work? Do I need to be setting that in the question-mapping function in order to invoke the right action handler down the line, or is that set after-the-fact somehow?"  H. Jaeger  12:46p [D1890]

2031.   H. Jaeger  2018-06-25 3:36pm [D1890]

Answering my own questions: yes, I can make those fields available to action handlers. Now I know how the `answer_actions` column works, and I will soon teach the question mapper to set it programatically when creating questions & responses.

Here's another cool idea, [`schuyler1d?`]: since we already use an env to enable or disable certain action handlers, I'll make visibility of the OSDI settings section conditional on that same env! All a site admin has to do is add `osdi-survey-question` to `ACTION_HANDLERS`, and the config options will be exposed to site owners. Such DRY. Very clean. Wow.

2032.  "(don't mind me, just getting myself excited about cool features.)"  H. Jaeger  3:37p [D1890]

2033.  S. Duveen  4:14p [D1890]
- I guess my flag on combining the settings is that stops me from setting the OSDI details for an org as a tech admin and enabling the actionhandler for my campaign admins to use.
- I think you're still focusing on the use-case of an ADMIN being the same as the system admin of the site and the org. In many orgs, those are very different people. Even when they are the same, the setup for environment variables, etc is a single thing....
2034.  "Right, but setting the OSDI details themselves as envs prevents different organizations on the same Spoke instance from talking to different OSDI systems, which seems like a desirable feature."  H. Jaeger  2018-06-26 11:12am [D1890]
2035.  H. Jaeger  2018-06-28 12:27pm [D1890]
- [schuyler1d?] in advance of this being actually deployed for Salazar for Senate, I want to dig into this question of envs vs. per-organization settings a little more. I noticed the ActionKit event integration first looks for envs and falls back to `organization.features` if they're not available. This is an interesting pattern.
- I'm making the security changes you suggested (not transmitting the API URL and token back to FE during the update process).
2036.  "checking in @harpojaeger & @schuyler1d whether the VAN integration & ActionNetwork action handlers resolve this issue?"  Frydafly  2021-03-13 12:59pm [D1890]
2037.  "This should be resolved with <https://github.com/MoveOnOrg/Spoke/pull/1667> which was merged. Any remaining features should probably be separate bugs that target what additional changes are needed."  S. Duveen  2021-03-15 4:51pm [D1890]
2038.  Github  05/22/18  2018-05-22 8:39pm "OSDI record_attendance action handler Issue #596 MoveOnOrg/Spoke, OSDI record_attendance action handler Issue #596 MoveOnOrg/Spoke GitHub" [D1888]  GitHub
2039.  Harpo Jaeger  8:39p [D1888]
- Action handlers need to expose `displayName`, `instructions`, `available` and `processAction` methods (see https://github.com/MoveOnOrg/Spoke/blob/main/src/server/action_handlers/actionkit-rsvp.js).
- An OSDI `record_attendance` handler would enable automatically RSVPing contacts to VAN, AN, etc. events based on an external ID uploaded in the campaign contacts CSV.
2040.  H. Jaeger  8:40p [D1888]
- This is based on a discussion at Prog. Hack Night tonight. I'm planning to write this handler in June. Any notes or suggestions are welcome in the meantime!
2041.  H. Jaeger  9:13p [D1888]
- This might also involve requiring columns in the CSV for a *contact's* external ID, e.g. VANID, to ensure accurate syncing.
2042.  Joe McLaughlin  2018-05-30 3:30pm [D1888]
- Hey [j-ro?] [deasterdaywfp?] [codygordon?] this would be really cool to have... thanks [harpojaeger?]
2043.  J. McLaughlin  3:37p [D1888]
- [harpojaeger?] Action Network only needs email as a unique ID..
2044.  J. McLaughlin  3:49p [D1888]

But [harpojaeger?] being able to send first, last, zip, cell, an external voter ID to AN as well would be *really* handy

2045.  H. Jaeger  10:49p [D1888]

Hmm, I think OSDI requires an email address in any representation of a person, but you can also do `system_name:id` fields. Not sure which we'd need here. But yes, the notion is for this module to be able to talk to any OSDI API.

2046.  Jason Rosenbaum  11:32p [D1888]

OSDI requires no fields -- every field in the spec is always optional -- but certain implementing servers will require certain fields in their implementation (Action Network requires email address, for example).

2047.  H. Jaeger  2018-05-31 2:59pm [D1888]

Good to know.

2048.  H. Jaeger  2018-06-04 10:51am [D1888]

TODO: figure out if VAN generates a signup-confirmation email when someone is RSVPd using this endpoint. This function might be of limited utility to a campaign if not.

2049.  H. Jaeger  11:09a [D1888]

Also consider whether this action handler should manage the case where a person is in Spoke but not in the target database (i.e. phone numbers were collected and uploaded directly into Spoke without an external ID, so the action handler can't match them).

2050.  H. Jaeger  8:40p [D1888]

OSDI options (API key, what type of system it is [this might be necessary to handle different platform's differing implementations of the OSDI spec], base URL or whatever) should be configurable on a per-organization basis.

2051.  J. McLaughlin  2018-06-05 3:06am [D1888]

Hey [j-ro?] - Action Network doc info says
> Action Network can send event RSVPs to VAN as signups. Set up the connection here, and from then on, when you create events in Action Network you can enter a VAN ID for each, after which we will send all subsequent RSVPs to the corresponding VAN event as signups using VAN's OSDI-compliant API.
which uses the `record_attendance` action handler right, it's just not spelled out by VAN at <https://developers.ngpvan.com/osdi#osdi> that VAN supports `record_attendance`, is that it?

2052.  J. Rosenbaum  9:35a [D1888]

VAN's events implementation is undocumented.

2053.  H. Jaeger  10:15a [D1888]

Well, that throws a slight wrench in my plans -- I thought VAN supported `record_attendance`. Guess I'm writing a VAN-specific attendance integration then, not an OSDI one (at least to start off with)!

2054.  J. Rosenbaum  10:17a [D1888]

They do, it's just undocumented. Try it out, and you can see event endpoints on the AEP.

2055.  J. Rosenbaum  10:18a [D1888]

Though there are some VAN-specific wrinkles, in the shift/role/etc..., again on the AEP and discoverable in the browser.

2056.  H. Jaeger  10:20a [D1888]

Ah, interesting.

2057.  J. McLaughlin  2018-06-06 5:21pm [D1888]

Hey [harpojaeger?] - you should request a VAN developer API key on its developer site, so you can use it's sandbox instance. As well, you should ask the campaign to request an API key for it's live Votebuilder instance for you to use. FYI, I've also used curl to get info for role ID etc for test VAN events created in both the sandbox and a live Votebuilder instance.

2058.  J. McLaughlin  5:23p [D1888]

Also [harpojaeger?] - the campaign should set up it's own group on Action Network at the paid Partner level - it's cheap - if hasn't already, and can then get an API key for that for you to use. cc: [j-ro?] .

2059.  J. McLaughlin  6:08p [D1888]

In terms of relative ease, speed and immediate utility to a campaign - I'd start with sending Event RSVPs from a test Spoke campaign to an AN group test Event, and test that. Then, sending those RSVPs from AN to a corresponding test Event in a VoteBuilder My Campaign instance. After that, sending Event RSVPs directly to Votebuilder My Campaign.

2060.  H. Jaeger  2018-06-12 11:11pm [D1888]




[j-ro?] I've been messing around with VAN's `record_attendance_helper` but haven't been able to solve some persistent errors on the VAN-specific fields (role, status & shift), and I haven't found anything on the AEP about the schema that endpoint expects. If you know of any other implementations of this I could use as a reference, I'd certainly appreciate a pointer!

2061.  J. Rosenbaum  2018-06-13 12:10am [D1888]

Here's the code that translates from VAN's proprietary API to the OSDI service:
<https://github.com/NGPVAN/osdi-service>

2062.  Ilona Brand  2020-05-18 12:21pm [D1888]

Closing due to VAN contact loaders (#1457) and action handlers (work in #1538) already being implemented

2063.  Web Page  04/27/20 "OSDI action handler and server for import and people, questions, answers, messages by joshco * Pull Request #1166 * Move-OnOrg/Spoke" [D386]  GitHub

2064.  Josh Cohen [D386]

This PR contains an OSDI action handler to submit canvass responses like Question Answers, Tags (aka in VAN terms Survey Question Responses, Activist Codes). The handler will automatically download the available questions/SQs and tags/ACs and show them in the interaction script editing form as actions.
This can be used to submit data to EveryAction/VAN, Action Network, CiviCRM (in-progress) and other systems that support the OSDI Simple Organizing Profile. ([opensupporter/osdi-docs#337](#))
This also contains OSDI Server functionality that lets other OSDI clients read data from Spoke in OSDI format, as well as import contacts with batch mode.
[opensupporter/osdi-docs#335](#)

2065.  Skyler Duveen, MoveOn [D386]
- This PR creates a fantastic external API that will help other programs interface with Spoke -- it's breadth is excellent, but also means we'll have to be very careful about the additional security surface it exposes.
2066.  J. Cohen [D386]
- Thanks for the kind remark. I've reviewed your feedback and agree. I've also discussed the issue with other OSDI stakeholders, and have a proposal for next steps.
- The current pull request includes some functionality for vision's sake. It also includes the bypass and public API switches which were meant to reduce friction for those who wanted to experience it for themselves using the demo server. I'll remove those, or refactor it as skyler suggested.
- The current PR also goes beyond the settled resources in OSDI based on my own improvisations of assignments and messages. I'll remove these resources and produce an updated, more constrained PR, incorporating Sky and others' feedback. This way we could have working code this cycle.
- In parallel, settling on the definition of what these new resources should be a democratic consensus among OSDI stakeholders, with leadership from those who build products that implement these features.
- Augustus Franklin [augfrank?] , from CallHub (which also implements similar features) has offered to serve as a convener of an OSDI breakout group on these resources. It would be great if someone from Spoke would participate as well as Hustle, Relay and any other implementers.
2067.  Augustus Franklin, CallHub [D386]
- 1:51pm
augfrank commented on Jul 30, 2019
[joshco?] [schuyler1d?] Yes, I'd love to help. It would be good to setup a common way to represent messages and its related resources.
2068.  Ilona Brand, MoveOn [D386]
- [joshco?] [schuyler1d?] [augfrank?] What's the status on this work?
2069.  J. Cohen [D386]
- [ibrand?] This is almost complete. I've made most of the changes Skyler requested. I'll push a branch today
2070.  S. Duveen [D386]
- I haven't reviewed but the last time I reviewed this these were my blockers...
I'd like to see at least some minimal testing -- maybe test of one or two endpoints -- that way if people create more tests they have the pattern they need to do so.
But ++ to [joshco?] 's work -- this could open up some great ways of linking into Spoke from other systems.
2071.  J. Cohen [D386]
- I've updated the branch with 2 OSDI test cases.
get people with apitoken succeeds, and without fails
try to get people with osdi disabled and it fails
2072.  Joe McLaughlin, Misc [D386]

hey [joshco?] [schuyler1d?] [ibrand?] and adding in [lperson?] - sorry I am just now jumping in on this again. Can y'all possibly collaborate and fast track getting this merged? It's great stuff, and I'd really love to use it for an effort that I'm working on - it's for an election happening this November.

2073.  J. McLaughlin [D386]

So I deployed [joshco?] s osdi_key branch tonight on to a production site and will test in the a.m., after finishing set up. Just a note that the OSDI_CONFIGURATION.md doc doesn't say anything about OSDI_MASTER_ENABLE env var, however I added it and set it to true which works, so now I see the OSDI API Access toggle which I'm leaving off for now. Also, the doc should be called something like HOW-TO_OSDI_CONFIGURATION to conform to the rest of the how-to docs naming convention in docs.

2074.  J. Cohen [D386]

Improvements based on customer testing and feedback to make it easier to use and set up. Thanks to [joemcl?]
Added yarn osdi-info script to check config, view available information from remote OSDI Server
Added additional environment variables to option in logging of OSDI wire level traces UI improvements

2075.  S. Duveen [D386]

schuyler1d closed this on Apr 27, 2020.
Comment: contact-loaders sadly make this PR obsolete.

V.E Fraudulent Concealment

2076. Defendants concealed their schemes to invest the proceeds of their racketeering activity.

2077. Defendants engaged in a pattern of fabricated accusations against Plaintiff to exclude him from industry conferences including Netroots Nation 2018, 2019, Personal Democracy forum 2018 and virtual spaces including listserv Progressphiles.

2078. Had he attended he would likely have attended sessions that would have allowed him to connect the dots.

2079. Defendants falsely claimed that Judge Gorenstein issued a restraining order against Plaintiff to coerce the conference leaders of Personal Democracy Forum 2018 to exclude Plaintiff.

2080. By falsely portraying Plaintiff as unstable and violent, Defendants incited fear of Plaintiff in others, Defendants' ensured no one would talk to Plaintiff or allow him in spaces where he might have discovered their schemes.

2081. Defendants retaliated against Plaintiff's diligence at Netroots Nation 2019 by having a male stranger terrorize him on the sidewalk with false accusations including "Josh Cohen sexually harasses women" in front of an audience of attendees.

2082. Defendants warehoused their copyright infringement in Lightrail/Bluelink's API until Summer 2021, and Action Builder's API until Summer 2022. Defendants concealed how they were misrepresenting the OSDI IP as their own proprietary API until November 2020.

2083. Sometime around the 4Q2020 - 1Q2021, Defendant's published something that

changed the way cohorts Plaintiff had formerly been associated with such that they no longer respond to Plaintiff. It remains concealed from Plaintiff to this day.

2084. Cohen v Swirling, which Defendants provoked as a false-flag to create a pretext to gain control of OSDI is the only litigation Plaintiff has been involved in. The prior time Plaintiff retained legal counsel was to fight a speeding ticket 30 years ago.

In Scheidler v. National Organization for Women, to prove extortion under the Hobbs Act, the Court held that a plaintiff must show that the defendant actually obtained or sought to obtain property through wrongful means.⁷⁶ It is not enough if the defendant merely deprived the plaintiff of the plaintiff's property.

2085. Defendants and proxies portrayed their property demands as empowering women, and concessions to women Plaintiff must make, concealing their investment schemes, and warehoused their infringement.

2086. Therefore, Defendants misled Plaintiff about his legal claims and prevented Plaintiff from discovering the property element of an extortion violation.

V.F Unfair Competition

V.F.1 Anticompetitive Effects

V.F.1.a Introduction

2087. This complaint highlights examples of how Defendants and their co-conspirators entered into and engaged in a racketeering conspiracy, in the market for Digital Political Microtargeting Platforms aka "Platforms", to suppress a technology, OSDI, which served as an external network effect. Defendants and their co-conspirators, aka the Campaign did so in the following ways:

- Gave themselves an unfair competitive advantage and created barriers to entry for competitors, increased customer switching costs and reseller support costs, and reduced customer choice by misappropriating OSDI's essential IP and application ecosystem, and laundered it into proprietary application ecosystems in a manner similar to App Stores.
- Increased customer switching costs.
- Increased application developer costs.
- Created an artificial inefficiency in the market which favors large, well-resourced players who can afford duplicative work.
- Leveraged the artificial inefficiency to launder an external network effect into proprietary internal network effects to create a market for "universal adapters". An analogy would if Defendants coerced the laptop or smartphone market away from USB-C and back to proprietary connectors.
- Since the relevant markets constitute essential resources for candidates running for election, Defendants and their co-conspirators have gained gatekeeper powers over those resources

including products and the data pipes that data flows through, allowing them to discriminate to deprive or degrade those for disfavored candidates.

V.F.1.a.1 Digital Political Microtargeting Platforms Are Relevant Market

2088. Citizens in democracies have the right to run for election, vote for their preferred candidate, and engage in democratic campaigns such as ballot initiatives to achieve societal goals. Those who do require access to Digital Political Microtargeting Platforms and associated applications that integrate with them. Digital Political Microtargeting Platforms consist of a Customer Relations Management (CRM) and a Data Warehouse which contains Voter Files and other data, which integrates with a set of applications. Applications include text messaging applications, petitions, fundraisers, and others.

V.F.1.a.2 United States is a Relevant Geographical Market

2089. Customers in the United States require products that comply with campaign finance laws, and they use data products for the US market.

V.F.1.a.3 Democratic or Progressive Digital Political Microtargeting Platforms are a Relevant Market

2090. In the United States of America, our political system is dominated by two parties, Republicans and Democrats. Since they are in competition, the markets for Digital Political Microtargeting Platforms naturally segregates into two separate markets. One serves the right, where customers are Republicans and Conservatives, and the other serves the left, where customers are Democrats and Progressives. Customers may be candidates running for election or ballot initiatives.

2091. This complaint focuses on the Democratic or Progressive side of the market.


2092. While there are a few exceptions of systems that serve both sides, they are the exception rather than the rule.

V.F.1.a.4 Microtargeting Systems Are Platforms

V.F.1.a.4.1 Platform Definition

2093. The economics of Digital Political Microtargeting Platforms increase in value to customers, and in turn to those who own or control the platform when new applications are added to the platform. This occurs by way of an integration with the platform's API.

2094. In a blog post written by Micah Sifry on April 23, 2023, Micah asks Julia Barnes, CEO of The Movement Cooperative, what infrastructure they support for campaigns.

2095.  News  04/23/23 "Living with VANxiety: The Present and Future of Progressive Movement Tech - Micah L. Sifry" [D1985]  Micah L. Sifry

2096.  Micah L. Sifry [D1985]

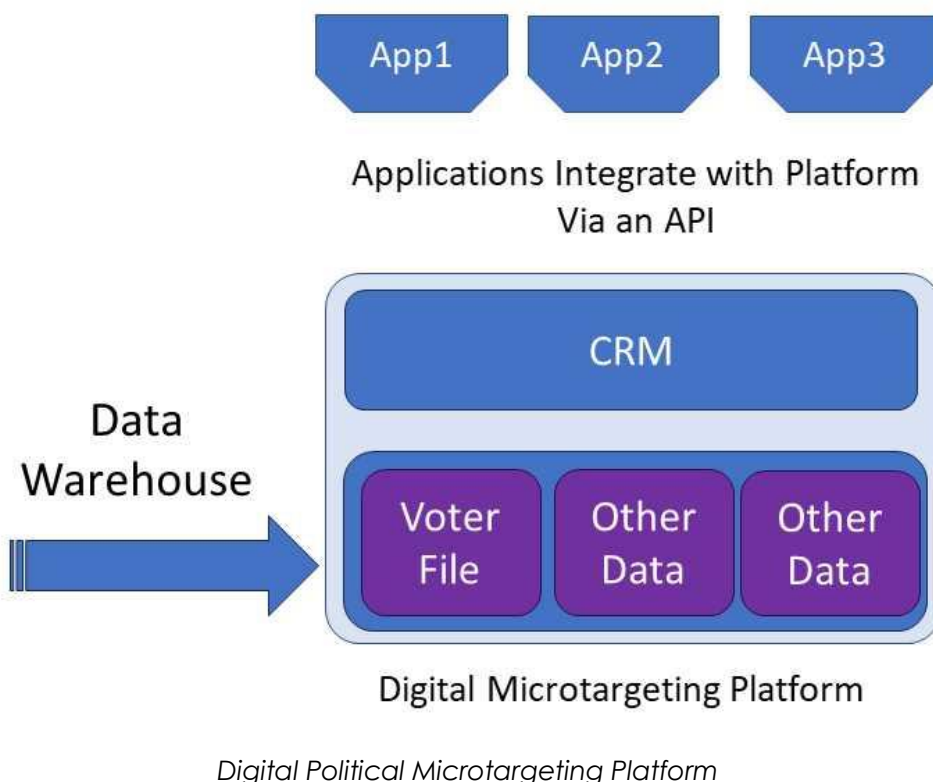
What is the core infrastructure that such a co-op would support? Barnes rattles the answer off easily.

2097. Barnes responded:

2098.  Julia Barnes [D1985]

A data warehouse, a voter file, a CRM, a canvassing functionality, a phone functionality, an email functionality. We have to have all of that, and it has to be in designed in a way where it has an open API, where it can talk to all of the tools that people want to sync in, where the users get to determine what aspects of their own data are important, as opposed to that being designed by the company.

2099. Barnes's answer is a set of applications that integrate with a Platform via an API. The following diagram illustrates the relationship between applications and platforms.



2100. This complaint focuses on the nature of how applications integrate with platforms via APIs.

V.F.1.a.4.2 Higher Ground Labs Tech Stacks

2101. Another example of this relationship is in a blog post published by Higher Ground Labs aka HGL on March 28th, 2022, which describes their recommended "tech stacks" for customers.

2102. Web Page 03/28/22 "2022 Tech Stack Samples - Higher Ground Labs" [D1442]
 Higher Ground Labs

2103. HGL Team [D1442]

Here are some sample tech stacks we see as efficient and strategic choices for downballot campaigns. The pricing for each vendor depends a lot on campaign size and duration of need and the actual tools needed depends on campaign strategy

2104. In the post, there are two diagrams outlining the tech stacks for state level campaigns and local or downballot campaigns.

Downballot Races: State Level

Tool	Function	Price per month	# of months	Total
Deck	Data + Analytics + Fundraising	\$200	9	\$1800
Universe	"Campaign in a box" CRM + VoterOutreach	\$380	9	\$3420
Civitech	Campaign OS provides all-in-one campaign management dashboard and tool marketplace	\$50-250	9	\$450-\$2,250
Speakeasy	Digital ad and mail management	\$250	8	\$2000
BallotReady	GOTV tools and data	\$400	4	\$1600
Impactiv*	Voter Outreach SMS (P2P and broadcast) + Dialer	\$200	9	\$1800
Tech Total Per Campaign:		\$1,430		\$11,070-\$12,879

*State Level***Downballot Races: Local, City, County**

Tool	Function	Price per month	# of months	Total cost
Deck	Data + Analytics + Fundraising	\$200	9	\$1800
Universe	"Campaign in a box" CRM + VoterOutreach	\$380	9	\$3420
Speakeasy	Digital ad and mail management	\$250	8	\$2000
BallotReady	GOTV tools and data	\$400	4	\$1600
Impactiv*	Voter Outreach SMS (P2P and broadcast) + Dialer	\$200	9	\$1800
Tech Total Per Campaign:		\$1,430		\$10,620

*One caveat here: This assumes that campaigns will get access to NGP VAN through the state party.**Local Level*













2105. HGL highlights the difference in the tech stacks, where Local depends on NGPVAN, and State depends on Civitech's CampaignOS. NGPVAN and CampaignOS are the platforms, and the others are applications that integrate with the platforms.

V.F.1.a.5 The Market is Concentrated

2106. As described in the Market Background section of this complaint, a single dominant player, NGPVAN, has had vertical agreements with the DNC, giving it a near monopoly. The main exception was California, which is dominated by PDI.

2107. Existing smaller players, or new players, have had a difficult time gaining a critical mass of customers to compete fairly with the larger players.

V.F.1.a.6 Customers are Revenue Constrained

2108. In a concentrated market, with revenue constrained customers, the harm of artificial inefficiencies will be exacerbated. Customers are political campaigns who's revenue is fundraising, which is constrained by campaign finance laws. Others are non-profits. Large campaigns, like presidential or federal congressional campaigns may have significant resources. However, they are the minority in numbers.
2109. Smaller or "downballot" campaigns will suffer to a greater degree.
2110. Customers have limited funds to spend on expenditures, therefore the potential revenue for application vendors is small.
2111. Anne Lewis, CTO of MoveOn.org comments on the market on "The InfoQ Podcast" on 1/11/2021:
2112.  Podcast  01/11/21  2021-01-11 "Ann Lewis Discusses the Political Tech Landscape, MoveOn's Architecture, and Scaling Challenges" [T149]  InfoQ, The InfoQ Podcast;  Anne Lewis;  Charles Humble
2113.   Anne Lewis  +02:36 [T149]
- the market cap of political tech is relatively small compared to the rest of tech in the US. So there's typically not quite enough funding to create enough organic competition to have multiple offerings per type of system that you might use. So what we typically see is that systems with a wider moat like a Crm where all your user databases and we're all of your engagement mechanisms sink into. There are just a few offerings in that space.
2114.   A. Lewis  +03:01 [T149]
- typically we see a lot of little apps that try to serve a single purpose and then organizations and tech teams spend a lot of time trying to unify these apps together into a coherent system... So that's a constant challenge that the ecosystem is relatively small market cap and so has mixed offerings.

V.F.1.b Origin of Anticompetitive Conduct

V.F.1.b.1 VC New Media Ventures / Universal Adapter Proposal

2115. Plaintiff was originally referred to Nathan Woodhull via email on 2/15/12 [D1057]
2116. Via email on December 11th, 2013, Woodhull communicated a plan where he and partners applied for funding from New Media Ventures to build a "universal adapter". If OSDI succeeded, and applications could directly connect to platforms, this would not be a viable business.



- 2117.
- 2118.
2119. Though unaware of this, Plaintiff OSDI and its external effect was an obstacle to the

interests of powerful and wealthy interests who had motive for extortion.

2120.  Email Subject  12/11/13  2013-12-11 10:36pm "activity" [D1991**]  Nathan Woodhull

2121.   Nathan Woodhull  10:36p [D1991]

applied for funding from New Media Ventures for a bunch of things, a small chunk of which was funding to write a "universal adapter" to provide a common API binding to a few CRM vendors that their member organizations use... we'd likely do the implementation work if they were to get funding... I'd look to OSDI spec for a common interface.

V.F.1.b.2 Action Network Seeks to be 1 of 2 Dominant Platforms

2122. Action Network released their platform implementation using source code provided by Plaintiff in April 2014.

2123. At this point, the conspiracy included Woodhull, Action Network, DNC and Netroots Nation.

2124. They attempted to undermine the project in August 2014, as described in the section Early Racketeering.

2125. The evening of August 20th, 2014, Plaintiff chatted with Jason Rosenbaum via chat.

2126.  Chat  08/20/14  2014-08-20 8:53pm "NGP VAN's Innovation Platform Event" [D420]

2127.   Josh Cohen  9:30p [D420]

Imho we want the ecosystem api to be controlled by community/democracy not the party+van

2128.   Jason Rosenbaum  9:30p [D420]

True. Though that's a long term project. I'd settle for being one of two for now...

2129.   J. Cohen  9:31p [D420]

One of two?

2130.   J. Rosenbaum  9:31p [D420]

Two widely used progressive Apis

2131. Action Network's goal of being one of two widely used progressive APIs would implicitly mean that Action Network would be one of two dominant platforms.

V.F.1.b.3 Had the Early Racketeering been successful



















2132. Action Network, AFL-CIO, Netroots Nation/DailyKOS would have a head start using OSDI and its momentum, which was significant, as their proprietary API and application ecosystem, which they share dominant control over.

2133. Woodhull would have gotten venture capital to build his "universal adapter" proposal, and along with VC New Media Ventures would share control over an economy of scale that was based on an artificial inefficiency.

2134. From this point forward, Woodhull, Action Network, Netroots Nation and the AFL-CIO continued to fraudulently induce Plaintiff's labor, while recruiting others including

MoveOn.org and the DNC the racketeering conspiracy to gain control of the project, operate it, and invest the proceeds into their own enterprises.

V.F.1.c Action Squared Executes Platform Disintermediation Play

2135. One of the few ways to gain a critical mass in a digital platform market is to execute a platform disintermediation play.
2136. Action Squared began as Action Network, which functioned as a digital organizing toolset which acted as an application that integrated with the dominant platform, NGPVAN, using the platforms OSDI endpoint. Today it is a platform which provides a competitive alternative to NGPVAN and has expanded its functionality to include SMS, peer-to-peer and other features that previously were separate applications.
2137. The platform disintermediation strategy is outlined by Charlotte Slaiman, Competition Policy Director of Public Knowledge, when testifying before the House Subcommittee on Antitrust:
2138.  Meeting Minutes  02/25/21  2021-02-25 1:00pm "Testimony of Charlotte Slaiman" [D717]
2139.   Charlotte Slaiman  1:00p [D717]
 Testimony of Charlotte Slaiman
 Competition Policy Director, Public Knowledge
 Before the House Committee on the Judiciary
 Hearing On Reviving Competition, Part 1
2140.   C. Slaiman  1:13p [D717]
 Perhaps most importantly, one of the very few ways of attempting to compete against a dominant digital platform is to start out in an adjacent market, as a company that competes on the platform.
2141.   C. Slaiman  1:14p [D717]
 Often, the market for competition on the platform could serve as a "feeder" market for competition against the platform. From the feeder market of competing on the platform, an entrant can expand out to provide more and more "verticals" to eventually replace the platform for some users.
2142.   C. Slaiman  1:14p [D717]
 Or, an entrant can disintermediate, building a direct relationship with the consumer and bypassing the platform altogether.
2143.   C. Slaiman  1:14p [D717]
 The gatekeeper platforms recognize this, and thus can use the many tools for discrimination at their disposal to demote companies that may pose a competitive threat to the platform itself -- not just the platform's other businesses that compete on the platform.
2144. Action Squared followed the same scheme.
2145. Action Network began in an adjacent market, as a digital toolset, which was an application that integrated with the dominant platform, NGPVAN. [397?] [D452]
2146. Early in the Action Network product lifetime, functionality like volunteer management,

mobile sms, peer-to-peer, was provided by applications that integrated with Action Network via its platform implementation of OSDI. Examples included Mobile Commons and CallHub for mobile functionality, NGPVAN for volunteer management, and salesforce for CRM functionality.

2147. At SXSW 2015, during the OSDI session, Jason Rosenbaum describes Action Network and makes the point that a common API removes barriers to entry and reduces cost for integrations.

2148.  Audio  03/13/15  2015-03-13 11:00am "Turbocharging Social Activism with Data Standards" [T105]  ;  Jason Rosenbaum, Action Network;  Gayatri Bhalla, Catalist;  Josh Cohen, Self;  Tim Anderegg, Independent


2149.   Jason Rosenbaum  +09:34 [T105]

a little from my perspective, Action Network is an online organizing tool, so it does one thing and we try to do it really well, which is managing your email, managing your online actions like online donations or signing petitions, that kind of thing. We don't do a lot of the other things that josh mentioned right, We don't do like voter file stuff, volunteer stuff, phone banks, you know, facebook, all that kind of stuff.

2150.   J. Rosenbaum  +12:51 [T105]

So for us it takes some of, you know, we want to be in this ecosystem and we recognize that our partners are going to use a lot of other things to do, a lot of work. You know, they might use a different fundraising system uh to do something special over there, They might use, you know, they might use the van to do voter firework and stuff like that. Um It takes my job of integrating with those, you know, applications and my developers. It takes that job maybe from a three or four weeks development project down to maybe a couple days. Right. If we're all using a common ap I think there's a dream that at some point in the future this is this is plug and play and it's like an hour, we'll see if we get there. But you know, taking it down from three weeks to a couple of days really changes the barrier to entry for me building an integration that our partners want. We're able to do it quicker. It's less costly. And it means that more integrations can happen.

2151. According to Brian Young, Action Network's founder on The Great Battlefield Podcast on 1/18/2019 stated:

2152.  Podcast  01/18/19  2019-01-18 11:37am "Building tech tools that help progressive organizations operate w/ the Action Network's Brian Young" [T174]  Nathaniel G. Pearlman, The Great Battlefield;  Nathaniel;  Brian














2153.   Brian Young  +40:23 [T174]

if you're trying to do too many things in one tool set that are really sort of opposite in the way you use a database, especially you're having to fudge your optimizations and sort of try to fit things together where, you know, we're building a digital tool set with the action network and that's what it's for and it's not really a phone tool. So we really always from the beginning we concentrated on an API and trying to build a good API so people could integrate in with us

2154.   B. Young  +40:23 [T174]

keeping the focus there and building in really think of ourselves as a, as part of a tech ecosystem and we're not going to be everything for everybody.

2155. Over time, Action Network integrated those features directly in its product. Action Network's blog post on 2022-01-19 states:

2156.  Web Page  06/09/22 "All the Tools Your Campaign Needs to Win, All the Tools Your Campaign Needs to Win | by Jeff Dugas | Powering Progressive Movements | Medium" [D1302]  Medium
2157. Action Squared has integrated Mobile Messaging into its platform.
2158.  Jeff Dugas, Action Network [D1302]
- Mobile Messaging is fully integrated into the Action Network tools you already know and love, with all of the advanced features like segmentation, automation, and testing that you're used to with our mass email tool.
2159. Action Squared has concealed the fact that the ActBlue integration was OSDI based, concealing the platform disintermediation play. It is also an example of adding proprietary extensions in "Embrace, Extend, Extinguish" tactics.
2160.  J. Dugas [D1302]
- We developed the ActBlue sync with our Development Partners at the DNC to help Action Network partners raise more money on ActBlue than ever before.
2161. In addition to adding new features to expand horizontally, Action Squared disintermediated the dominant platform.
2162. Action Network and the AFL-CIO were building a VAN competitor, ActionBuilder. Today, ActionBuilder is a competitive alternative to NGPVAN. This allows Action Squared to build a direct relationship with the customer and sell a competitor to NGPVAN.
2163. While concealing their motive from Plaintiff, Action Squared used Plaintiff as a shield to prevent the dominant player NGPVAN from discriminating or impeding their platform disintermediation play. Had NGPVAN, the DNC or other big player overtly destroyed OSDI, the optics would paint them as homophobic, monopolistic, or otherwise hypocritical.
2164. On 7/11/2019, Action Squared released its new platform ActionBuilder at Netroots Nation 2019 in Philadelphia.
2165.  Conference Session  07/11/19  2019-07-11 11:15am "This Is How We Win: A First Look at Action Builder Netroots Nation" [D1759] 
2166.   11:15a [D1759]
- As progressives, we win when we take the time to build and maintain relationships with and between activists, understand the issues we all face, and identify and develop our future leaders. Come by for a Philly Water Ice, join leading organizers and the Action Builder team for a discussion on building a sustainable and scalable movement through tried-and-true organizing tactics, and enjoy a special demo of the new organizing toolset, Action Builder, from the organization that brought you Action Network.
2167. On 6/22/21, Action Squared announced that they were merging Action Network and Action Builder.
2168.  News  06/22/21 "Mobilizing AND organizing are essential to building progressive power, Mobilizing AND organizing are essential to building progressive power | by Brian Young | Powering Progressive Movements | Medium"

[D830] Medium

2169. Brian Young, Action Network [D830]

At Action Network & Action Builder, we're uniting the two into a seamless power-building model

2170. Action Network's web page listing integrations with other products no longer lists NGPVAN. The page describing its integration with NGPVAN, which used NGPVAN's OSDI service has been hidden.

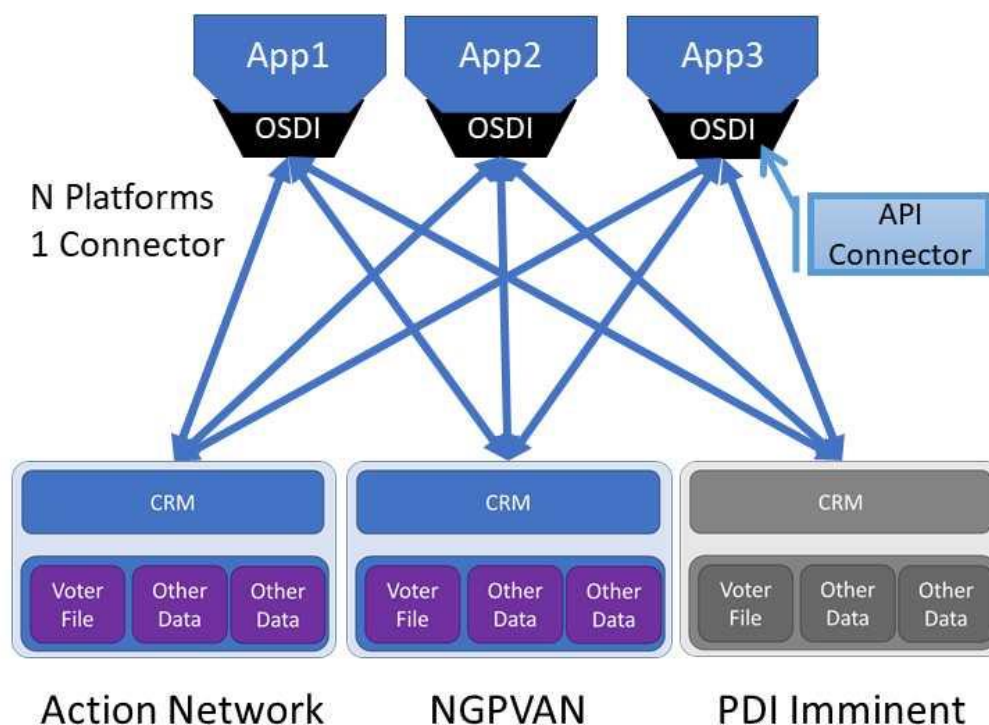
V.F.1.d Tipping Point for External Network Effect

2171. Despite their racketeering efforts, in 2017, OSDI succeeded in creating an external network effect.

2172. In September 2015, NGPVAN's platform implementation came online. As a near monopoly, with the majority of customers, this was sufficient to tip the market. Application vendors who implemented an OSDI connector would gain interoperability with NGPVAN, which was a market requirement. They would also get interoperability with Action Network with little or no additional work.

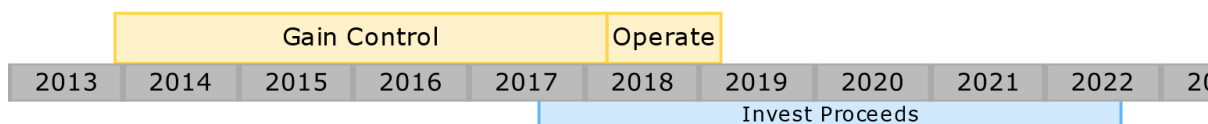
2173. Action Network itself used NGPVAN's OSDI endpoint for its integration with NGPVAN to support the AFL-CIO's customer requirements. In 2016, Defendant's extortion began.

2174. In Summer 2017, at Netroots Nation 2017, PDI launched its new national platform and stated its intent to join OSDI and implement the specification. Defendants then escalated to Abuse of Process.



OSDI Tipping Point

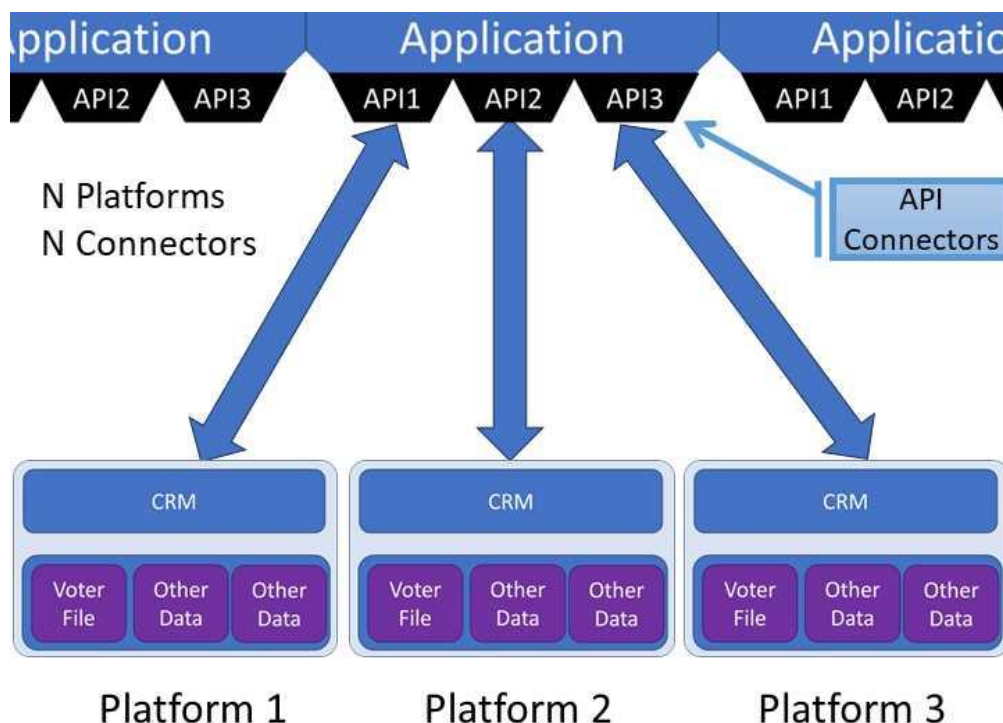
2175. The above diagram illustrates that application developers only need to spend resources to build a single API connector, which allows the application to interoperate with any compliant platform.



Defendants Racketeering Activity

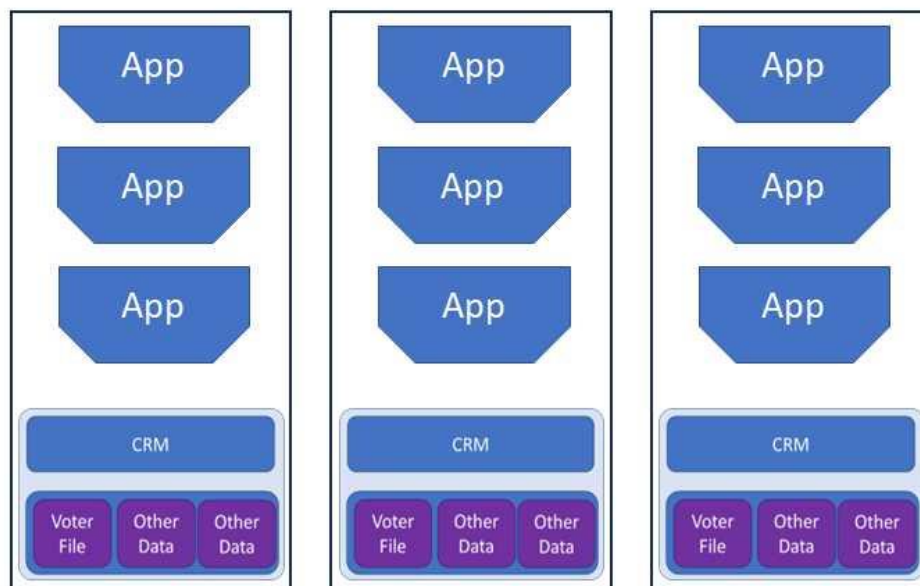
V.F.1.e Defendants Gave Themselves an Unfair Competitive Advantage

2176. The outcome created by Defendants' racketeering activity allowed them to invest the essential IP and application ecosystem into their own enterprises.
2177. The effect on application developers is that they need to spend engineering resources building and maintaining connectors for each platform they seek to support. As they do their cost/benefit analysis they will prioritize the platforms with the most customers.
2178. New platforms start from zero in terms of addressable market of customers and applications integrations. For application developers building connectors for them will be lower priority. If they are built at all, and may have less functionality than the connectors they build for larger platforms with larger addressable markets.



Product specific API - Internal Network Effect

2179. The above diagram shows that application developers now need to spend resources to build N API connectors in order to interoperate with N platforms.
2180. The effect on platforms is that the set of applications that have built connectors to integrate with their platforms is an economy of scale that they can use as a competitive advantage against other platforms. The effect of this is that the set of applications compatible with each platform resembles App Stores like in the mobile space.



App Stores -- Internal Network Effect
Proprietary Walled Gardens Compete Based on Scale

App Stores

2181. As a result of Defendants' racketeering, Action Squared and Civitech, via its acquisition of Lightrail/Bluelink, inherited a head start by misappropriating OSDI's essential IP and application ecosystem. Since OSDI was the largest REST API based application ecosystem, it had achieved a self-perpetuating critical mass of adoption.
2182. The House Subcommittee on Antitrust report on Competition in Digital Platform Markets aka CDPM describes the nuances of digital platform markets and the effect they have on competition.
2183. [Document](#) 10/02/20 "INVESTIGATION of COMPETITION in DIGITAL MARKETS" [D852]
2184. [\[D852\]](#)
- New app stores face high barriers to entry. It is unlikely that a third strong mobile app ecosystem can emerge. To offer a new mobile app store that is compelling to consumers, the app store must have a built-in customer base to attract developers to build apps for the store and must have popular apps to attract customers.
2185. [\[D852\]](#)

Over the past decade, several large technology companies have attempted and failed to leverage their large user bases to compete against Apple and Google in the mobile OS market. Facebook and Amazon both tried to enter the market with variants of Google's Android OS. Both companies quickly exited the market because consumers were mostly accessing Facebook and Amazon content through apps on iOS and Android devices.

2186. [D852]

Companies like Mozilla and Alibaba have also attempted to enter the mobile OS market. Mozilla unveiled its Firefox OS in 2013 and exited the market altogether by 2016. In 2012, Chinese tech giant Alibaba developed a mobile OS called Aliyun. However, Acer cancelled its collaboration before the launch

2187. [D852]

each platform now serves as a gatekeeper over a key channel of distribution. By controlling access to markets, these giants can pick winners and losers throughout our economy.

2188. The report cites Paul Arnold, a venture capitalist, who states that VC's shy away from investing in concentrated markets with dominant platforms due to the challenges these barriers to entry create.

2189. [D852]

Paul Arnold, an early-stage investor and founder of Switch Ventures, commented at the Justice Department's recent workshop on the intersection between venture capital and antitrust law that he considers markets dominated by large platforms to be kill zones. [T]here's an incredibly, concentrated market share because of the economies of scale or because of network effects, it's a really hard barrier to overcome.

V.F.1.e.1 NGPVAN

2190. Today, NGPVAN remains a dominant platform and application ecosystem, and has deprecated its OSDI endpoint. Instead it relies on its proprietary REST API, as well as legacy SOAP/XML API.

V.F.1.e.2 Action Squared and Civitech

2191. Action Squared and Civitech API's are both OSDI disguised as their proprietary APIs and have made changes or additions that make them slightly incompatible.

2192. Action Squared has two platform implementations, Action Network and Action Builder. Both are OSDI in disguise.

2193. Civitech owns both CampaignOS and Bluelink (formerly Lightrail). By combining CampaignOS and Bluelink, CampaignOS gains an ecosystem based on the OSDI head start.

2194. From an application development perspective, building a connector for Action Squared or Civitech will work with the other for the most common scenarios using OSDI helpers like Person Signup Helper (which Bluelink uses). So application developers can build a connector for NGPVAN's proprietary API and Action Squared/Civitech.

2195. Action Squared and Civitech's behavior is similar to Microsoft's behavior in *Sun Microsystems v. Microsoft Corp.*, 21 F.Supp.2d 1109 (N.D.Cal.1998). Microsoft added ex-

tensions to its Java implementation, J++. When used by Java developers on Microsoft's J++, applications would be "locked in" to Microsoft's implementation, and to Windows as a result, since they would not be compatible with implementations of the Java standard.

2196. These are "Embrace, Extend, Extinguish" tactics. Over time, depending on future changes and evolution by Action Squared and Civitech, compatibility will decrease over time. However, since both platforms already have a critical mass of adoption, they already have an internal network effect.
2197. Since Action Squared and Civitech have gained a critical mass of adoption and gained a significant addressable market of customers, application developers to have a small customer acquisition cost.

V.F.1.e.3 PDI

V.F.1.e.3.1 PDI National - BlueVote

2198. PDI's national platform, which it released at Netroots Nation 2017 was named BlueVote and had a web page at bluevote.com. It has since been taken down now redirects to PDI's main site. According to the Internet Archive, the last "Integrations" archived page for BlueVote shows only two application integrations, ThruText and Organizer.

2199.  Web Page  01/25/22 "Integrations BlueVote" [D488]


2200.  BlueVote [D488]

 ThruText, Organizer

2201. Had PDI implemented OSDI, its application ecosystem would have included OSDI compliant products. Those included ActBlue, Mobile Commons, Callhub, CallHub, Accurate Append, Mobile Commons, Act Blue, New/Mode, CiviCRM, New/Mode, Mobilize, MoveOn Spoke, MoveOn Internal Tools, ProgCode Resistance Calendar, ProgCode National Voter File, ProgCode Maps for Change, RiseUp.
2202. Any application developer that build a connector for Action Network, Action Builder, NGPVAN or Bluelink would also be compatible with PDI's BlueVote.
2203. PDI's BlueVote was launched in 2017, before Action Builder and CampaignOS. But for Defendants' unlawful conduct, PDI's BlueVote would have competed at the level of the market, with the same application ecosystem as Action Squared and Civitech's CampaignOS.
2204. Instead, one challenge that BlueVote faced was the lack of compatible applications in its ecosystem.

V.F.1.e.3.2 PDI Today

2205. PDI's website no longer lists BlueVote or a national platform product. PDI's current website site lists "California Campaign Center", who's web page states "Our Campaign Center is not available outside of California at this time. Contact Sales to learn more or browse our website for product offerings that are available across the country."

2206.  Web Page  06/08/24 "PDI | Political Data,PDI | Political Data Intelligence" [D2001]  PDI | Political Data

2207. Though PDI has gained some integrations, lower priorities can result in integrations with less functionality. An example of this has already occurred with event management application Mobilize's integration with platform PDI. This is stated on Mobilizes web page for PDI integration:

2208.  Web Page  02/25/22 "PDI Integration" [D1349]

2209.  Liz Mullen, PDI [D1349]

This integration supports the uni-directional flow of data from a Mobilize organization to a PDI account. While our integration with PDI is not as robust or fully-featured as our VAN integration, we do sync over our core data models.

2210.  L. Mullen [D1349]

Key Integration Details.

Data is synced twice a day around midnight and noon EDT.

V.F.1.f Defendants Created a Barrier to Entry for Competitors

2211. Other existing platforms will be "third platforms" or worse and will have difficulty convincing application developers to write additional connectors for their platforms. They will have challenges similar to those of Amazon, Microsoft, Nokia and others who attempted to create their own mobile App Stores.

2212. New platforms will face these challenges to an greater degree. New platforms start with no addressable market of customers or application ecosystems.

2213. CDPM [D852] states "To offer a new mobile app store that is compelling to consumers, the app store must have a built-in customer base to attract developers to build apps for the store and must have popular apps to attract customers."

2214. New platforms will face a "chicken and egg" problem. They will lack a large enough customer base to attract application developers to build connectors for their platforms. They will also lack a competitive ecosystem of applications compatible with their platforms compared to dominant platforms to attract new customers. Nor will it justify the necessary switching costs for customers of other platforms to switch to the new platform.

V.F.1.g Defendants Increased Switching Costs

2215. Customers who switch platforms will not be able to take their applications with them to their new platform. They will have to choose from applications that have built a connector for the new platform and are thus in the new platform's App Store.

V.F.1.h Defendants Increased Application Developer Costs

2216. Application developers face additional costs per each connector they build for a given platform.

2217. Even in the case where platforms differentiate themselves with proprietary features

expressed through an API, Defendants have increased costs as well.

2218. Prior to the destruction of OSDI, application vendors could participate in OSDI at no cost, and participate in a consensus process to decide on definitions in the API specification. They had a vote similar to other members, regardless of their individual scale, finances and market power.

2219. As the OSDI specification evolved, applications developers only needed to track a single specification. Their engineering maintenance costs would be spent on a single connector.

2220. OSDI had a namespaced extension model, where vendors could define their own proprietary extensions inline within OSDI.

2221. For example, if a vendor wanted to add a field to Person which OSDI committee members didn't believe was needed for general use, a company (Acme) could define it with their own namespaced extension:

```
{
  "given_name": "Sam",
  "family_name": "Smith",
  "acme:musical_instrument": "Trombone"
}
```

2222. To the extent that a given platform created its own proprietary extensions, the differential code that an application vendor might need to write would be much smaller than if they had to implement a completely different proprietary API.

V.F.1.i Defendants Gained Gatekeeper Powers

2223. Since the market has a small addressable market, a digital platform market and is concentrated with few platform solutions, Defendants have gained gatekeeper powers over essential resources for candidates running for election.

2224. Action Squared describes its governance model as "Cooperative Development", which is led by its "keystone partners". Those include Action Network, AFL-CIO, DailyKOS and DNC. Netroots Nation evolved from DailyKOS yearly conferences "YearlyKOS" which took place in 2006 and 2007, before being renamed Netroots Nation. Both entities have significant crossover in leadership.

2225. As a result, they share dominant control over a new dominant platform, Action Squared, which is comprised of Action Network and Action Builder.

2226. Higher Ground Labs and its portfolio companies benefited from OSDI, including CiviTech/Bluelink, New/Mode, and Mobilize. Netroots Nation's board chair, Cheryle Conti also sits on Higher Ground Labs's advisory board. [D2000?]

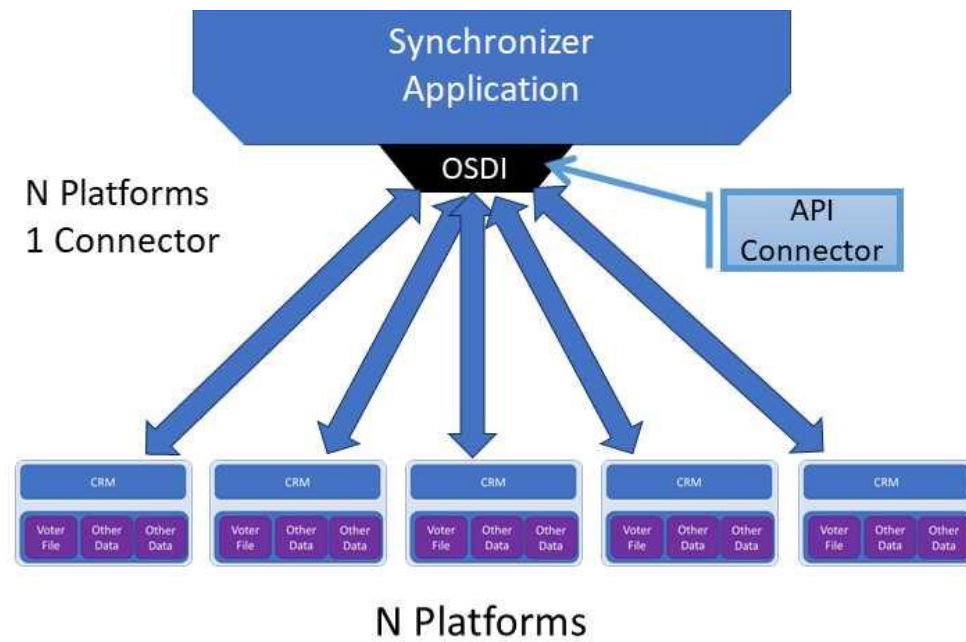
2227. But for Defendants' actions:

- Competitors would not face this barrier to entry.
- Customers would not face switching costs from an application ecosystem perspective.

- Application developers would not have to resource duplicative connectors which are an artificial inefficiency.

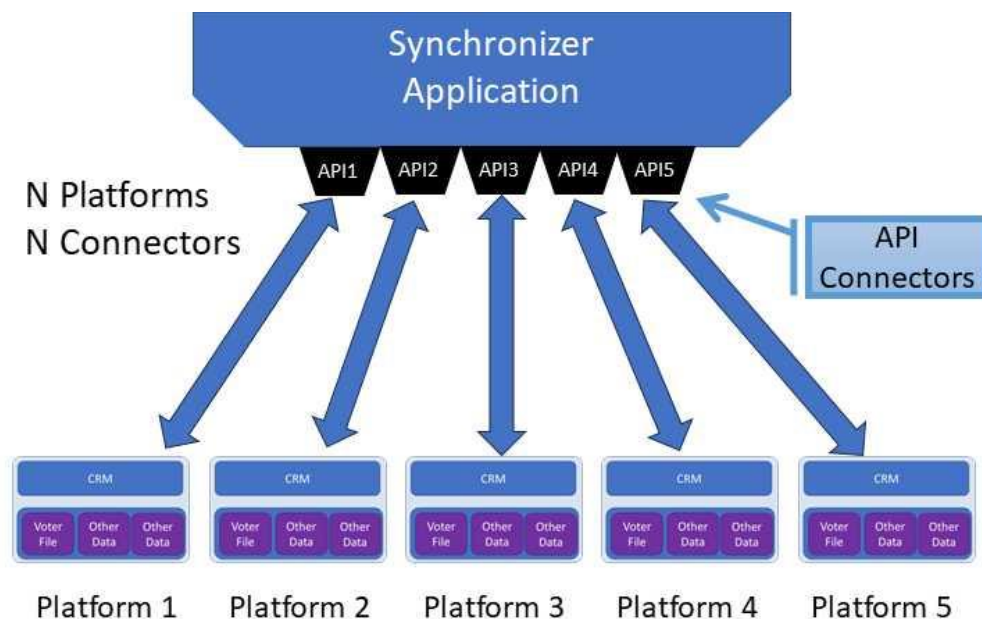
V.F.1.j Defendants Created an Artificial Inefficiency

2228. By destroying the external network effect, Defendants have forced application developers to spend resources to fund duplicative and unnecessary work.
2229. For comparison, as laptops converge on USB-C adoption for power and charging, the value of universal adapters, such as those from Targus decreases to zero. At this point in time, USB-C adoption on new laptops has already crossed the tipping point, creating an external network effect. The effect of this is that vendors who have experience building USB devices can participate in the market for chargers and battery packs for laptops, mobile phones and any compliant device.
2230. OSDI had already crossed the tipping point to create an external network effect. Defendants' actions would be like coercing the laptop and mobile phone market to abandon USB-C and return to proprietary connectors for power and charging. This would impose an additional, unnecessary cost upon USB vendors, who would need to build different versions of their products, or supply a myriad of adapters to be compatible with different laptops, mobile phones or other products.
2231. Defendants have exploited this inefficiency to create a need for "universal adapters" to connect to platforms as well as CRMs used by political campaigns.
2232. In 2018, Plaintiff released a synchronizer product "Hero Sync", which synchronized data between political CRMs such as Salsa, as well as Salesforce and microtargeting platform NGPVAN, as well as Action Network, by using OSDI. This involved synchronizing records for People, Events, Attendances etc.
2233. Since the synchronizer was compatible with any OSDI compliant system, For systems that didn't have their own OSDI connector, Plaintiff built one for those platforms, which were available for anyone to use.
2234. As a result, Plaintiff could spend his engineering resources developing feature functionality for the synchronizer rather than integration connectors. For illustration, examples of features included
- Customer customizable logic rules, where if a person had tag X in the origin system, tag Y would be applied in the destination system.
 - Automated charts and graphs that showed synchronization metrics over time.
 - Automated "diff" functionality which highlighted the specific change in a record which could be accessed via the logic rules, and shown in reports sent to users of the product.
2235. The following diagram illustrates that only 1 API connector is needed.



Standard API - External Network Effect

2236. The less time developers spend writing connectors to different systems, the more time they have available to create features and functionality. Customers purchase products for features and functionality; they expect integration to "just work."
2237. As a result of Defendants' racketeering, separate connectors are now needed to integrate with different platforms, which is an artificial inefficiency. The following diagram illustrates where multiple connectors must be built.



Product specific API - Internal Network Effect

2238. As a result, the synchronization features and integration connectors have become vertically integrated. Defendants have exploited this artificial inefficiency to create a need for "universal adapters", where the set of connectors for different systems are an economy of scale.

2239. Since an economy of scale requires significant resources to build and grow to a critical mass, as well as maintain the various API connectors as the platform vendors independently evolve their own APIs, Defendants have an economy of scale they can control using the "strings" of funding. This also allows Defendants to gain gatekeeper powers over essential resources by controlling the "data pipes" political data flows through.

V.F.1.k Defendants created a market for "Universal Adapters" and Exchanges

2240. Application developers will prioritize platforms with resources to grow their platform and largest addressable market for them to acquire customers. NGPVAN, Action Squared and Civitech's CampaignOS will benefit from this.

2241. As described above, application developers who would prefer to spend their engineering resources on features rather than connectors, can utilize a "universal adapter" service to connect with different platforms.

2242. Universal adapters Plaintiff has discovered include the following:

- Lightrail/Bluelink -- Funded by VC's Acronym and later Higher Ground Labs. In 2022, Higher Ground Labs provided additional funding to Civitech, who then acquired Bluelink.
- Parsons -- Controlled by The Movement Cooperative, whose largest funder is MoveOn.org [D756]

- DaisyChain -- Founded by Nathan Woodhull and Jon Warnow, funded by Higher Ground Labs
- Community Tech Alliance (CTA) PAD -- A new entrant

2243. The market has been coerced to an internal network effect model, where universal adapters and their library of connectors are an economy of scale.



Universal Adapters

2244. Those who control the universal adapters can use that economy of scale as a beachhead and then add feature functionality and evolve into a platform. This is a similar approach to Action Squared's platform disintermediation play.

2245. DaisyChain is an example of this. When initially launched, Nathan Woodhull describes DaisyChain on Twitter on 8/16/22 "Daisychain is an organizing platform that integrates the political tech stack." However, since then DaisyChain has added new features to build out a platform. [D1907]

2246. Tweets 08/16/22 2022-08-16 2:15pm "Nathan Woodhull on Twitter Launching something new" [D1907] Twitter

2247. Nathan Woodhull 2:15p [D1907]

Launching something new! Daisychain is an organizing platform that integrates the political tech stack so campaigns can have authentic conversations when they matter most.

2248. N. Woodhull 3:44p [D1907]

We're aspiring to integrate with just about everything, but we're prioritizing by integrating with the tools early folks are interested in.

2249. On its web page, Community Tech Alliance touts its data integrations and the barrier to

entry of needing to build integrations.

2250. [Web Page](#) 10/02/23 "The 5 Common Data Problems Community Tech Alliance" [D1996] [Community Tech Alliance](#)

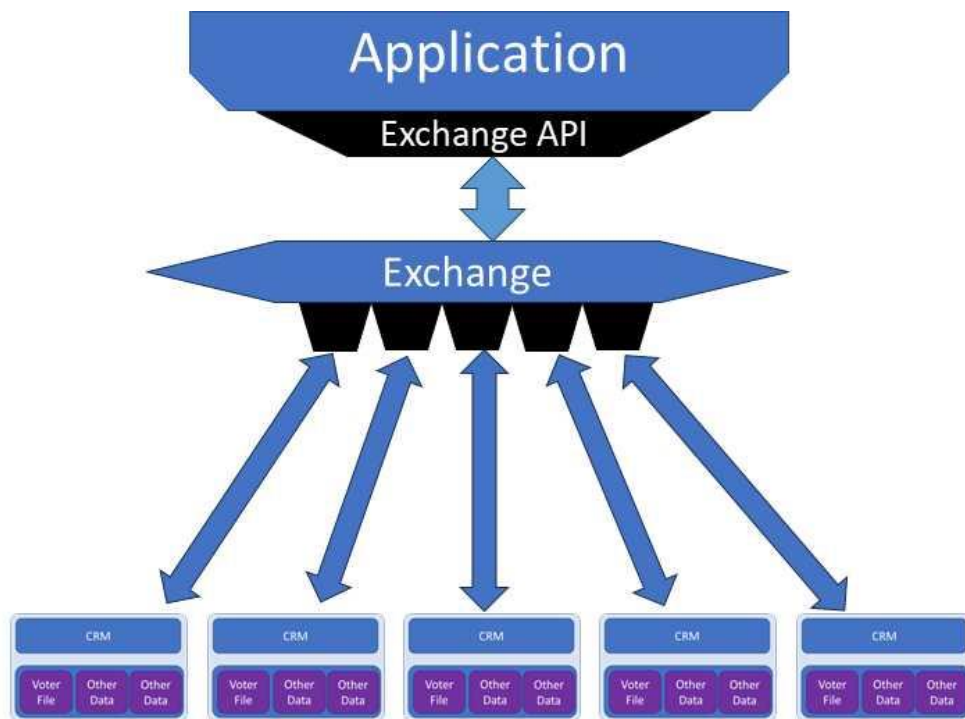
2251. [CTA](#) [D1996]

PAD also syncs with over 50 tools (and counting). That's 50+ integrations you don't need to custom build.

2252. The universal adapters also have connectors for commodity services unrelated to politics, such as Amazon Redshift, Google Cloud, Microsoft Azure and Salesforce. These services have open source libraries provided by service providers and generic community projects which can be used by applications, but are not unique to the universal adapters.

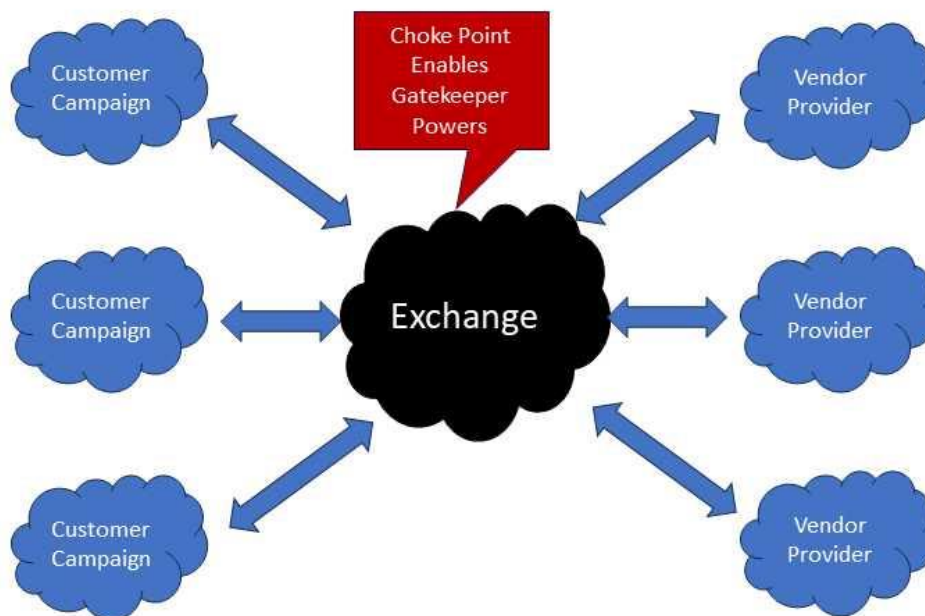
2253. What is unique to the universal adapters is the connectors for the platforms and political CRMs, which are unique to these markets. That is addresses the need that application developers have due to the artificial inefficiency.

2254. As more application data flows through the universal adapter, the more it becomes an exchange where political data flows through it, essentially becoming "data pipes".



Exchange Universal Adapter

2255. Those who control the exchanges now have gatekeeper powers over data pipes.



Gatekeeper Powers

2256. Since API connectors are individually identifiable, they can be targeted for discrimination. For example, if a vendor serves customers who represent primary challengers or candidates otherwise disfavored by the gatekeepers, their API connector can be individually disabled or degraded without affecting other applications. This can be used to create an unlevel playing field in an election, or to retaliate against the vendor to discourage future support for disfavored candidates.
2257. The emergence of Data Brokers, who function as exchanges, has been reported in the news.
2258. News 03/19/19 "The Secret Power of Political Data Trusts,The Secret Power of Political Data Trusts - Overture Global" [D591] Overture Global
2259. Sean McDonald, overture_global [D591]
 The Secret Power of Political Data Trusts,The Secret Power of Political Data Trusts - Overture Global
2260. Sean McDonald [D591]
 Most of the recent coverage about politics and data has been about scandal. What gets less coverage is the underlying way that data is shaping more than the way in which parties and movements work data is also changing the way they re organized.
2261. S. McDonald [D591]
 And how parties share data increasingly defines who gets access to the party s platform, resources, and seats. Across both aisles, a new generation of data power brokers decides who gets to participate in politics.
2262. S. McDonald [D591]

The fissures in the core negotiating foundations of the Democrats' data architecture were on display in the last presidential election. In late 2015, one of Bernie Sanders's campaign staffers accessed Hillary Clinton's voter file, causing the Democratic Convention to revoke his campaign's access. The DNC relented after the Sanders campaign mounted a breach of contract lawsuit, but damage to the party's digital unity had been done.

2263.   S. McDonald [D591]

...a growing group of large progressive-cause campaign organizations are starting to share data under the banner of the Movement Cooperative, which will essentially govern the way the group buys, combines, and uses its voter files.

2264. Examples of exchanges that Plaintiff has discovered:

V.F.1.k.1 Parsons

2265. The Movement Cooperative project Parsons is an example of a "universal adapter". Below is its About web page.

2266.  Web Page  07/10/21 "About Parsons documentation" [D839]

2267. It serves as a universal adapter by having individually coded connectors for each platform or product it can connect to. The left column lists lists source code for connectors to systems it integrates with. These include ActBlue, Action Network, Action Kit, Mobile Commons, NewMode, NGPVAN and Bluelink.

2268.   Movement Coop [D839]

...contains a growing list of connectors and integrations to move data between various tools. Parsons is focused on integrations and connectors for tools utilized by the progressive community. Parsons was built out of a belief that progressive organizations spend far too much time building the same integrations, over and over and over again, while they should be engaged in more important and impactful work.

2269. **Disparate Impact** The Movement Cooperative, along with MoveOn and its other funders benefited from the destruction of OSDI. The branding of Parsons highlights that it is named after a woman "Lucy Parsons", creating the appearance that by supporting the misappropriation, one is supporting women.

2270.   M. Coop [D839]

Parsons, named after Lucy Parsons...

2271. According to OpenSecrets.org, as of the 2022 election cycle, MoveOn.org has been the largest funder of The Movement Cooperative.

2272.  Web Page  06/13/24 "Vendor/Recipient Profile: Movement Cooperative" [D756]  OpenSecrets

2273.  OpenSecrets [D756]

As of the 2022 election cycle, the top funders and amounts are
Moveon \$3,088,291
Color of Change \$927,270
Nextgen \$618,250

2274. On website "Progressive Data Jobs", The Movement Cooperative posted a job position

"Data & Technology Strategist", states "'We help with the establishment of syncs, data pipelines, analytics...'"

2275.  Web Page  03/29/21 "TMC Data & Technology Strategist" [D755]




2276.  [D755]

We leverage the collective purchasing power of our membership to secure cooperatively held data and technology licenses shared across membership and invest in common infrastructure like technical staff to support our members in their work

2277.  [D755]

We help with the establishment of syncs, data pipelines, analytics, and reporting from a continually expanding suite of organizing and digital tools.




2278. Bluelink submitted a connector for Parsons, in September 2021, just over 4 years after Netroots Nation 2017. Examining the source code reveals that it is using OSDI Person Signup Helper. Therefore, Action Network and Bluelink's connectors are essentially the same.

2279.  Github  09/01/21  2021-09-01 2:29pm "parsons bluelink py at master move coop parsons" [D1190]

2280.   2:29p [D1190]

parsons bluelink py at master move coop parsons

2281. The source code repository for Parsons lists source code for connectors to systems it integrates with. Though it lists Bluelink on the About page, the source code has been hidden or removed.

2282.  Github  05/15/24  2024-05-15 1:22pm "parsons parsons at main move coop parsons" [D1993]


2283.   1:22p [D1993]

parsons parsons at main move coop parsons

V.F.1.k.2 Lightrail/Bluelink/Civitech

2284. In Summer 2017, Higher Ground Labs initial cohort of funded companies included GroundBase, which was founded by Gerard Niemira after his employment at Hillary for America aka HFA. At the conclusion of the racketeering conspiracy to operate OSDI, in early 2019, Acronym acquired GroundBase and renamed it Shadow. At that point Niemira announced Lightrail, which billed itself as a "universal adapter". Shadow was subsequently divested from Acronym, and its other product terminated, leaving only Lightrail. Shadow was then renamed Bluelink, which then received funding as part of HGL's 2021 cohort. In 2022, Civitech received a round of funding and then acquired Bluelink. Civitech also acquired Alloy, Reid Hoffman's voter file project.

2285.  Web Page  06/21/21 "Announcing our 2021 cohort - Higher Ground Labs" [D1335]  Higher Ground Labs

2286.  [D1335]

The mission of Higher Ground Labs is to promote and support constant innovation for a better democracy. Over the past four years, we have invested in companies that have become core infrastructure for progressive politics.

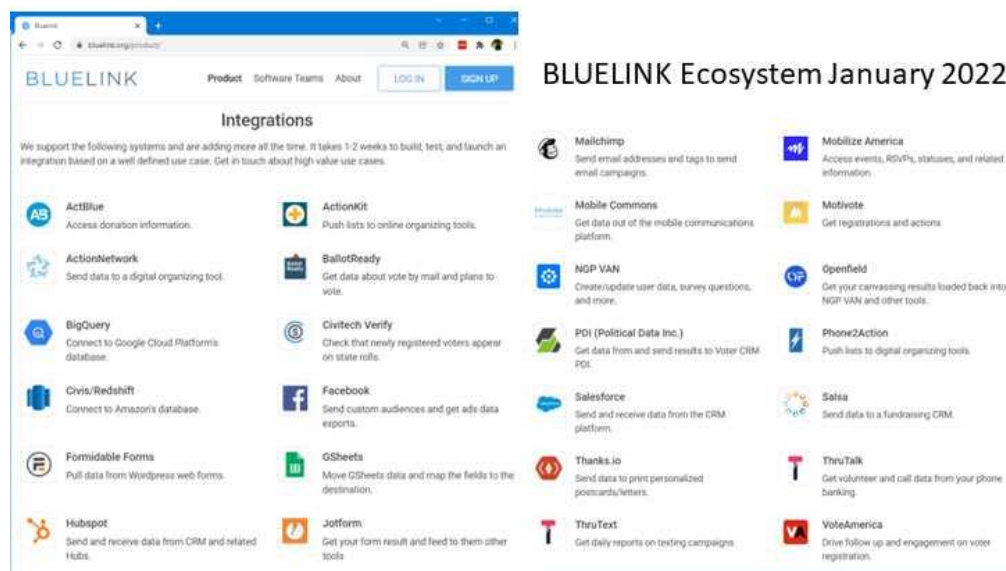
2287. [D1335]

BlueLink

BlueLink
BlueLink lets non-technical users easily set up data flows between tools so their campaigns and groups can automatically run processes --- like registering voters or thanking donors --- saving time and money for strategic work while using context to improve the voter/supporter experience. For software teams, BlueLink reduces integration costs so they can focus on products not pipes.

2288. In September 2021, Bluelink's API became discoverable, revealing its use of OSDI as its inbound API. This is consistent with the proposal Woodhull shared with Plaintiff in 2013.

2289. As of January 2022, Bluelink's library of connectors is shown in the diagram below, taken from Bluelink's website:



Bluelink Ecosystem 2022

V.F.1.k.3 Democratic Data Exchange

2290. Shortly after the end of the racketeering conspiracy to operate OSDI, and the DNC Winter meetings, the Democratic Data Exchange aka DDX was announced.

2291. News 02/13/19 "Howard Dean to head new Democratic voter data exchange" [D588] The Burlington Free Press

2292.   Bill Barrow, Burlington Free Press [D588]

Dean confirmed that he's signed on to lead a planned data exchange hammered out by DNC officials, state party leaders and Democratic consultants. The agreement still requires the expected approval from state party leaders gathering

Wednesday in Washington, but it would end more than 18 months of internal party wrangling that has dogged DNC Chairman Tom Perez amid fights over money and control.



2293.   BILL BARROW [D588]

"He's really a unique person in the DNC," said Mary Beth Cahill, a top Perez lieutenant who led the negotiations and who managed John Kerry's 2004 presidential campaign that defeated Dean. "Just looking at the landscape, he seems like one of the best signals we could send" to get everyone on board.

2294.   B. BARROW [D588]

The new exchange will operate as an independent for-profit enterprise led by Democratic strategist Jen O'Malley Dillon, once a top adviser to Hillary Clinton's campaign.

2295. On 4/2/2019, The Burlington Press published "Inside the Democrats Plan to Fix Their Crumbling Data Operation".

2296.  News  04/02/19 "Inside the Democrats Plan to Fix Their Crumbling Data Operation" [D577]  Wired

2297. The article reports that state party officials, who manage their states' voter files, were initially reluctant to give up control of the party's most precious resource" which highlights the gatekeeper role.

2298.   Conde Nast, Issie Lapowsky [D577]


But state party officials, who manage their states' voter files, were initially reluctant to give up control of the party's most precious resource. In the end, the party struck a compromise: The data itself would be housed within the DNC

2299. It also reports that the DDX serves as "pipes that connect data sets"

2300.   C. Nast [D577]

The data exchange would merely track who's giving and taking what information and build the pipes that connect the data sets. The creation of a new Data Warehouse, Schuh Cortes says, means those pipes have something stable to plug into.

2301. A 2/16/24 job posting on Movement Builders from the Democratic Data Exchange, it describes the Movement Infrastructure Working Group's API for sharing data between tools used by campaigns.

2302.  Web Page  02/16/24 "Senior Director of Engineering-MIG Movement Builders" [D1994]

2303.  Democratic Data Exchange [D1994]

The Democratic Data Exchange (DDx) is looking for an experienced Senior Director of Engineering -- MIG to oversee the development of the Movement Infrastructure Working Group's (MIG) new API for real-time sharing of data between the various tools used by movement groups and Democratic political campaigns.

2304.  D. Exchange [D1994]

MIG is developing infrastructure in the form of APIs and a data application layer to make it possible for organizations and campaigns to move data to all destinations across the progressive ecosystem.

2305. In a Google document 10:45 Oct 25, 2021 shared by Santiago Martinez from Arena titled "DDx OVERVIEW 2021-2022", it discusses the synchronization aspects of the product.

2306.  Web Page  10/25/21 "DDx Overview Guide.pdf,DDx Overview Guide.pdf - Google Drive" [D1995]  Google Docs

2307.  DDX [D1995]

allowing programs to seamlessly sync voter data with DDx during and between election cycles.

2308.  DDX [D1995]

DDx syncs/delivers anonymized data into the organization's designated database or CRM.





2309.  DDX [D1995]

Optimize the DDx exchange platform and underlying systems to make data syncs faster and more efficient

V.F.1.k.4 DaisyChain

2310. On 8/16/2022 Nathan Woodhull posted on Twitter that he was "Launching something new! Daisychain is an organizing platform that integrates the political tech stack". Woodhull founded DaisyChain with Jon Warnow.

2311. At this point the culpable person Woodhull merged with DaisyChain.

2312.  Tweets  08/16/22  2022-08-16 2:15pm "Nathan Woodhull on Twitter Launching something new" [D1907]  Twitter

2313.   Nathan Woodhull  2:15p [D1907]

Launching something new! Daisychain is an organizing platform that integrates the political tech stack so campaigns can have authentic conversations when they matter most.

2314.   N. Woodhull  3:44p [D1907]

We're aspiring to integrate with just about everything, but we're prioritizing by integrating with the tools early folks are interested in.

2315. Woodhull states "We're aspiring to integrate with just about everything, but we're prioritizing by integrating with the tools early folks are interested in." Woodhull began building a library of Ruby based connectors for political applications and platforms.

2316. Based on examining the HTML source of a response to an HTTP POST on DaisyChain's login page https://go.daisychain.app/users/sign_in, the following CSS code is returned:

```
.rails-default-error-page {
  background-color: #EFEFEF;
  color: #2E2F30;
  text-align: center;
  font-family: arial, sans-serif;
  margin: 0;
}
```

2317. This indicates that DaisyChain is a Ruby on Rails application. Therefore DaisyChain can reuse the library of Ruby connectors that Woodhull started building in 2013.

2318. On 7/6/2023 Higher Ground Labs announced their 2023 Accelerator Companies, which included DaisyChain. Woodhull initially sought venture capital from New Media Ventures in 2013 to build an integration platform, which would not have been a viable business with OSDI's external network effect in place.

2319.  Email Subject  07/06/23  2023-07-06 12:04pm "Announcing our 2023 Accelerator Companies"  [D1949**]  Gerard Niemira

2320.   Higher Ground Labs Gerard Niemira  12:04p [D1949]

With a sharp eye toward 2024, Higher Ground Labs is proud to introduce you to eight promising startups pushing political tech to new heights.






2321.   H. Ground  12:04p [D1949]

Daisychain is a modern toolset that helps progressive organizations engage their audiences through personalized outreach, powerful workflows, and seamless integrations.

2322. With the destruction of OSDI and its network effect, DaisyChain can compete based on the economy of scale of connectors for different systems. DaisyChain's head start comes from the library of connectors Woodhull began building in 2013, but competitors will have to start from zero.

2323. Since DaisyChain is backed and funded by venture capital including Higher Ground Labs, it can afford to spend resources on duplicative work.

2324. On 10/18/2023, Nathan Woodhull is interviewed on The Great Battlefield podcast regarding DaisyChain. Woodhull discusses the inefficiency and how it creates an opportunity for DaisyChain.

2325.  Podcast  10/18/23  2023-10-18 5:52pm "Integrating and Connecting Political Organizing Data with Jon and Nathan of Daisychain" [T262]  Nathaniel G. Pearlman, The Great Battlefield;  Nathan

2326.   Spk3  +51:12 [T262]

So for example, we have customers using... Action Network for digital tools and then Bonterra products for other parts of their organizing in the field stuff. And those two tools really don't integrate well. Action Network and mobilize should, in my view, integrate much better than they do. But like they don't for essentially political reasons

2327. But for the destruction of OSDI and its external network effect, Action Network could use the client side OSDI connector it built and used to integrate with VAN to serve AFL-CIO, with Mobilize.

2328. Woodhull is concealing his participation in the racketeering conspiracies have exacerbated the problem he is citing.

2329.   Natha  +51:39 [T262]

So I think because of that some of the ways in which that plays out, it actually does create a role for us to be sort of like a way that organizations can still stitch things together.

2330.   Natha  +55:27 [T262]

We're trying to like, figure out a way to sort of be this glue piece to be a way to help people sort of stitch things together.

2331. In both statements, Woodhull describes the opportunity to compete based on a library of proprietary connectors, which economy of scale. The opportunity was created by Defendants' racketeering activity and extortion. The VCs were unwilling to fund synchronizer applications until they could compete based on an economy of scale.

2332. On 12/11/2013 Via email, Woodhull shared his plan to secure venture capital for a universal adapter that leverages the same kind of inefficiency. [D1991] Due to Plaintiff's labor, proficiency, and OSDI's success, his goal of seeking funding for this type of product was delayed 10 years.

V.F.2 Plus Factors

V.F.2.a Evidence of motive to enter a conspiracy.

V.F.2.a.1 Nathan Woodhull

2333. Nathan Woodhull began building a library of connectors for proprietary CRM APIs. [D648] He also shared his plan to seek funding from VC New Media Ventures to build a "universal adapter."

2334. Plaintiff, OSDI and its external network effect were an obstacle to the exchange approach because only one connector would be needed.

2335. Since he was serving the interests of venture capitalists, he had means to recruit others to join the conspiracy.

2336. 08/16/22 2:15pm Nathan Woodhull posted on Twitter that he was "Launching something new! Daisychain is an organizing platform that integrates the political tech stack". Woodhull founded DaisyChain with Jon Warnow. [D1907]

2337. 07/06/23 Higher Ground Labs announces its 2023 cohort including DaisyChain [D1949] Woodhull accomplished his goal of securing venture capital for an integration platform.

V.F.2.a.2 Action Squared

2338. During the early racketeering, on 8/20/14, via Google Chat [D420], Jason Rosenbaum/Action Network stated their goal of becoming one of two widely used progressive APIs. That would implicitly mean one of two dominant platforms.

2339. That is the opposite of OSDI's mission to serve as a standard API and external network effect.

2340. Later, Jason Rosenbaum began changing the apparent authorship of the OSDI spec which made it appear to be his work.

2341. AFL-CIO had motive to participate, since it was frustrated with gatekeeper powers possessed by the DNC and NGPVAN.

2342. Action Squared has motive to conceal their actions because an essential element of their success depends on exploitation of a minority's labor, proficiency, and retirement savings, and misappropriating Plaintiff's work. As a labor union, the AFL-CIO portrays its mission as preventing exploitation and thus has motive to conceal its actions to conceal its hypocrisy.

V.F.2.a.3 MoveOn.org

2343. MoveOn benefited from the racketeering by making use of OSDI in its internal tools, which gave it a head start on interoperability. [T23]

2344. MoveOn is the largest funder of The Movement Cooperative, which controls Parsons. Parsons serves as a universal adapter for platforms and political CRMs. But for the racketeering, the primary appeal of Parsons would not be present.

V.F.2.a.4 Sonya Reynolds/Colibri

2345. Colibri joined OSDI in 2017. Around the same time as Plaintiff was pitched by Dimitri Mehlhorn in summer 2017, Josh Nussbaum, the founder of The Movement Cooperative (TMC) contacted Plaintiff, seeking to discuss his plans. While serving as Chair of OSDI, Sonya led a proposal to set the end time of officer positions to January 31, 2019. At the same time as she resigned, she began employment at TMC.

2346. TMC benefited from the racketeering because its Parson synchronizer project gained the artificial inefficiency that wouldn't be possible, but for the destruction of OSDI and its external network effect.

V.F.2.a.5 DNC

2347. The DNC has a history of using control over essential resources for candidates running for election in order to give its incumbent or otherwise favored candidates an unfair advantage.

2348. During the Data War, Reid Hoffman's Alloy Voter File project was also an external network effect because it would provide its services without party control. According to Politico, on 12/10/18, "The DNC's top leaders have been telling people that Hoffman's project represents an existential threat" to the party, according to two sources with knowledge of the discussions." [583?]

2349. OSDI functioned as an external network effect, and from the application ecosystem point of view, would represent the same kind of threat.

2350. But for the racketeering and extortion that it participated in, application ecosystems would not be an economy of scale that could be controlled to serve that purpose.



V.F.2.a.6 Higher Ground Labs

2351. Higher Ground Labs had motive to use OSDI to give its portfolio companies a head

start, which it did. The portfolio companies that benefited from OSDI include New/Mode, Mobilize, and Bluelink.

2352. In August 2017, Dimitri Mehlhorn, Hoffman's political director, met with Plaintiff [D672] proposing to fund OSDI to be used according to a vision he shared with Plaintiff. The vision was similar to the paper Dimitri had co-authored at Harvard [D1867] The vision resembled a platform that served as a universal adapter.

2353. Higher Ground Labs has motive to conceal its actions from its funder, Reid Hoffman.

2354.  News  07/05/17 "Reid Hoffman and Mark Pincus have a plan to crowdsource politics." [D677]

2355.  Silicon Valley Business Journal [D677]

LinkedIn cofounder Reid Hoffman and Zynga cofounder Mark Pincus are putting \$500,000 into a new political organization that hopes to defeat Republicans in 2018 and 2020, and steer the Democratic Party toward policies that are "pro-social, pro-planet and pro-business."

2356.  Mark Pincus, Win The Future [D677]

Create a digital ROTC. Offer every american an engineering degree #WTFagenda #FreeEngineeringDegrees

2357.  M. Pincus [D677]

"We can't wait until elections to fight for what we care about," Pincus wrote this week. "We can't hope for a benevolent leader who may choose to listen to us. We need to create a modern people's lobby and choose our own leaders. We need to get organized. We need a network that lets the best ideas and leaders rise to the top through an open, inclusive democratic process."

V.F.2.a.7 Ragtag

2358. RagTag's leader, Brady Kriss introduced Plaintiff to Reid Hoffman's political director, Dimitri Mehlhorn in July 2017 [D672], stating "I personally think it would be rad to get some funding into OSDI itself, or to get some funding for Ragtag to manage people to work on OSDI stuff, or something along those lines."

2359. RagTag evolved from Dev Progress, the volunteer developer team for Hillary for America and the DNC during the 2016 election, where Gerard Niemira worked.

V.F.2.a.8 Kevin Jennings

2360. When Jennings joined the conspiracy on or before the DNC 2016 convention, he was Executive Director of the Arcus Foundation, one of two dominant funders of the gay rights movement. Jennings and Dimitri Mehlhorn are Harvard alumni. Gay rights organizations are political entities that depend on donations for their operations.

2361. Helping to destroy an external network effect which benefited political organizations like the DNC, AFL-CIO, MoveOn.org, would be useful for political advancement.

2362. As a fundraiser, he could benefit by helping Dimitri Mehlhorn, HGL, and others misappropriate OSDI.

2363. Jennings served as a Deputy Undersecretary in President Obama's administration. Higher Ground Labs was founded by Obama veterans, and thus Jennings could benefit

by helping the cohort.

2364. On October 7, 2019, Lambda Legal announced that Kevin Jennings became CEO of Lambda Legal.

V.F.2.a.9 Broadstripes

2365. Broadstripes main customer based is labor customers. According to Tim Holohan/Broadstripes, the company had been the victim of retaliation at the hands of the AFL-CIO due to its support of a candidate disfavored by the AFL-CIO. [T20]

V.F.2.a.10 Netroots Nation / DailyKOS

2366. Had the early racketeering in 2014 succeeded Netroots Nation would have gained a share of control over Action Network and AFL-CIO's proprietary ecosystem by misappropriating OSDI.

2367. Since that failed, Netroots Nation had motive to participate in the racketeering and extortion to misappropriate OSDI.

2368. Netroots Nation gained a share of dominant control of the Action Squared platform as a keystone partner.

2369. Netroots Nation also gained a seat on the advisory board for Higher Ground Labs.

2370. An essential component of Defendants' schemes was concealing the misappropriation and wire fraud to fabricate false origin stories for the misappropriated IP. Both occurred during sessions at Netroots Nation 2017, 2018, 2019, 2020.

2371. Therefore, Netroots Nation had motive to participate in the use of false accusations to justify excluding Plaintiff from those events.

V.F.2.a.11 Gerard Niemira / Lightrail / Bluelink

2372. Gerard Niemira sought and received venture capital for GroundBase as part of Higher Ground Labs initial cohort in 2017.

2373. He and his team then began building a series of applications, all of which failed, except Lightrail. Lightrail exploited OSDI's application ecosystem and essential IP.

V.F.2.a.12 Common Motives

V.F.2.a.12.1 The Motive for coercion

2374. The Campaign participants who participated in OSDI knew that the mission of OSDI was an external network effect.




















2375. At any point, the Campaign participants could have made a motion to remove Plaintiff and secured a majority vote to remove Plaintiff from his position or the project, which they never did. Plaintiff would have accepted that because it would have preserved the external network effect as well as his property rights.

2376. However, that would not have allowed Defendants to achieve the outcome that they did.

2377. Defendants needed to destroy the external network effect in order to misappropriate the economy of scale for their proprietary benefit.




2378. They also needed to violate Plaintiff's property rights in order to misappropriate and launder the proceeds into proprietary walled gardens, which they knew Plaintiff would never agree to.
2379. Plaintiff refused to go along with that when Action Network attempted to undermine the project in 2014, described in Early Racketeering. He refused Dimitri Mehlhorn's similar pitch in 2017.
2380. As a result, they needed to coerce Plaintiff, so they could portray the IP and project as abandoned, and themselves as picking up abandoned work.

V.F.2.b Evidence of Conspiracy

2381. In April 2018, after the Order of Discontinuance for Cohen v. Swirling, Brian Young arranged a meeting with Plaintiff, demanding that Plaintiff resign. Young stated that he was speaking on behalf of the DNC, MoveOn and AFL-CIO.
2382. Plaintiff insisted that Action Network keep its commitment to democracy. Eg, if they wanted to remove Plaintiff, they would need to make a motion and take a vote.
2383. On 5/30/2018, Plaintiff and Jason Rosenbaum/Action Network met via telephone. Rosenbaum also attempted to coerce Plaintiff to resign, which Plaintiff refused.
2384. Plaintiff asked Rosenbaum to confirm that Action Network was speaking on behalf of others.
2385.  Audio  05/30/18  2018-05-30 11:11pm "Telephone Call Jason Rosenbaum, Josh Cohen" [T23]  My Recording;  Jason;  Josh
2386. Jason also confirmed the conspiracy. Plaintiff stated:
2387.   Josh  +31:00 [T23]
- Brian claimed that Action Network is also speaking on behalf of the DNC, MoveOn, maybe some others.
2388. Jason Rosenbaum responded:
2389.   Jason  +31:00 [T23]
- A few organizations have called him to express their positions, so he's relaying that information. That's true. Yeah. We did not call them.
2390. During Cohen v. Swirling, on 2/12/2018 Defendant filed a Letter Motion to Dismiss and posted the tweetstorm simultaneously. Via email, Adriel Hampton stated to Plaintiff that there was an organized campaign to repudiate Plaintiff due to the occurrence of the complaint.
2391.  Email Subject  02/12/18  2018-02-12 1:24pm "Please remove me from <http://opensupporter.org/leadership/>" [D5*]  Chuck Hagenbuch
2392.   Adriel Hampton  7:30p [D5]
- There is an organized campaign to get OSDI affiliates to repudiate you - a former colleague contacted me asking me to call for your ouster as chair. I told her basically what your letter says and that when two people are accusing each other of harm-

ful actions and asking their friends to support their version, the courts are a decent place to hash that out.

2393. Plaintiff later followed up with Adriel Hampton via phone, asking him to elaborate on the organized campaign. Plaintiff memorialized Adriel's description in email and asked him to confirm it, which he did.

2394.  Email Subject  10/19/18  2018-10-19 10:00am "could you document" [D4]  Josh Cohen

2395.   Josh Cohen  10:00a [D4]

could you commit to email a description of the bullying behavior you experienced? Here's what I recall, could you edit/clarify/confirm?
A female friend X of Robyn's contacted this OSDI member by phone. X told the member that they needed to either kick Josh out of OSDI or resign from OSDI themselves. X also said that if this member didn't go along, "it would not be forgotten", which was received by the member to be a threat of retaliation.
When this member told X that Josh's actions were to confront discriminatory behavior, and that he is also a victim of sexual misconduct seeking to avoid retaliation, X replied that they didn't care.

2396.   Adriel Hampton  11:37a [D4]

That's accurate, except it was Facebook Messenger, not phone.

2397. tim "other people"

2398. At the end of the racketeering to operate phase, Plaintiff was unwilling to vote for proposals such as deleting the master branch or consolidation of power by RagTag. The proxies Broadstripes, RagTag and Colibri resigned their positions.

2399. On 2/01/2019, Plaintiff met with Tim Holohan/Broadstripes via telephone. Holohan told Plaintiff:

2400.  Phone  02/01/19  2019-02-01 "OSDI 1:1 with Tim" [T20]

2401.   Tim  1:05a [T20]

you are now at a parting of the ways with people who are more important than me, people less willing to talk to you about it.

2402. Plaintiff was at a parting of ways after he refused to agree to proposal that would facilitate the outcomes Defendants achieved. Plaintiff does not know who Holohan was referring to or how powerful they are.

V.F.2.c Parallel Conduct

V.F.2.c.1 Beginning of OSDI

2403. During the early racketeering, Woodhull, Action Network, Broadstripes (proxy for AFL-CIO), and Netroots Nation prepare to gain control of OSDI in summer 2014.

2404. Plaintiff was referred to Nathan Woodhull by VC New Media Ventures in 2012. The project kickoff occurred at RootsCamp in November 2012, and committee meetings commenced in 2013. In July 2013, Plaintiff began drafting OSDI's governance policy,

which included the "progressive keel", which was approved by vote on 8/1/2013. [D239?] This was subsequently exploited as a vulnerability in an attempt by Action Network to undermine the project and gain control.

- 7/22/2013 Nathan Woodhull discusses with Plaintiff the library of proprietary connectors he is building [D648]
- 8/01/2013 OSDI's governance policy and "progressive keel" are approved by vote
- 8/05/2013 Nathan Woodhull introduces Plaintiff to Nate Thames, linking ActBlue to the conspiracy [D1043]
- 8/06/2013 Nathan Woodhull introduces Plaintiff to Zack Exley, linking MoveOn.org to the conspiracy [D624]
- 9/07/2013 Beth Becker introduces Action Network to Plaintiff and OSDI [D1960]
- 11/04/2013 Action Network joins OSDI [D208]
- 12/11/2013, Via email to Plaintiff [D1991], Woodhull shares his plan to seek funding from VC New Media Ventures to build a "universal adapter."
- 4/04/2014 Action Network launches their OSDI implementation [D403]
- 4/21/2014 Broadstripes is approved as an OSDI member [D2002]
- 5/02/2014 Netroots Nation is approved as an OSDI member [D1962]
- 7/02/2014 New Media Ventures partners with Netroots Nation on their yearly "New Tools Shootout" beginning on or before Netroots Nation 2014. Plaintiff has email announcements from Mary Rickles on 07/02/14. [D1992]
- 7/18/2014 Netroots Nation 2014 OSDI Tech and Data Caucus occurs.
- 8/20/2014 NGPVAN Launches their proprietary API, taking the proprietary path. [D424]
- 8/20/2014 Action Network states its goal of becoming one of two widely used progressive APIs.

V.F.2.c.2 Origin of Extortion and DNC Unity Reform Commission

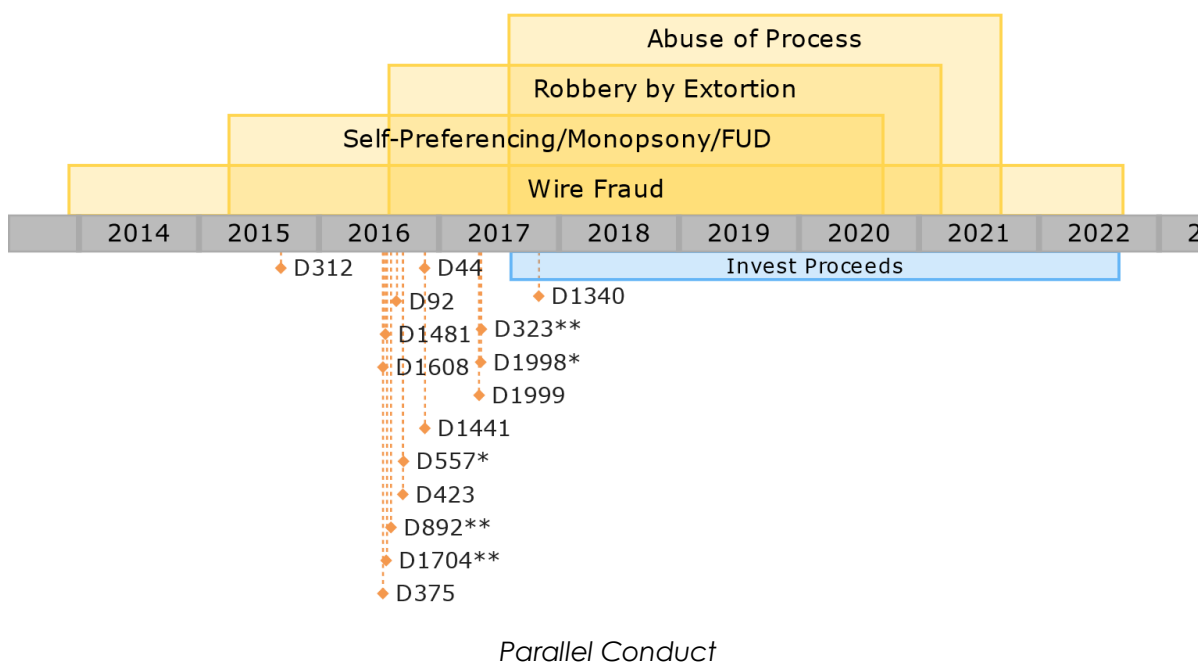
2405. The origin of the extortion coincides with OSDI achieving a 2x ROI due to NGPVAN's implementation, and the aftermath of the Data Breach in December 2015 where the Bernie Sanders campaign was locked out of NGPVAN. Access to tech as well as alleged favoritism by the DNC towards Hillary Clinton resulted in the DNC forming the Unity Reform Commission at the DNC 2016 Convention in Philadelphia. It was common knowledge that a struggle over technology assets would ensue.

- 9/9/2015 NGPVAN launches its OSDI implementation. This creates a 2x return on investment for application integrators. [D312]
- Netroots Nation participated in the beginning of the extortion at Netroots Nation 2016, and the follow-on Working our Values google group. Plaintiff was lured by Beth Becker [D1608], who serves as a digital trainer at Netroots Nation to the session and follow on google group. Within the same 24 hours, Mike Rogers [D375], leader of Netroots Nation LGBT pre-conference, insisted that Plaintiff make him fiscal sponsor of OSDI.

- 7/23/2016 DNC creates Unity Reform Commission to address issues which arose in the 2016 election including the data breach. The need to create the commission motivated the subsequent data war. [D1481]
- 7/25/2016 Plaintiff is added to Working Our Values Google Group [D1704]
- 8/09/2016 Plaintiff seeks help from Kevin Jennings who schedules a meeting. [D892]
- 8/25/2016 Swirling posts "introductions" thread with Brian Young in attendance list [D92]
- 9/02/2016 Plaintiff's first therapy session
- 9/14/16 a group participant stated "I contacted Mary Rickles at Netroots Nation and she directed me to their safe space policy..." and then "Here is the answer I got from Mary Rickles at Netroots Nation about procedures for reporting incidents" [D423]
- 9/16/2016 Swirling threatens to publicly falsely portray Plaintiff as an example of violence and sexual harassment of women [D557]
- 11/20/2016 Plaintiff attempts dialog to de-escalate the conflict and walks into ambush at Rootscamp 2016 where Swirling announces "A man has entered the room who has engaged in repeated violence, persistent harassment and invaded our spaces" [D44]
- 11/20/2016 With Plaintiff absent from the OSDI session, a secondary attack took place to gain control of the OSDI project, claiming that Plaintiff had been banned from Rootscamp. [D1441]
- 1/24/2017 Kevin Jennings cancels meeting with Plaintiff [D1340]
- 4/30/2017 Plaintiff counsel begins negotiation with Wellstone and resolves conflict on May 11th. [D323]
- 5/04/2017 RagTag joins OSDI [D1999] RagTag would serve as a proxy for Higher Ground Labs
- 5/09/2017 Sonya Reynolds/Colibri joins OSDI [D1998] Colibri would serve as a proxy for The Movement Cooperative

2406.

The following diagram shows a timeline of the parallel conduct.



V.F.2.c.3 Racketeering to Operate

2407. The Campaign's racketeering conspiracy to operate OSDI from February 2018 to February 2019 takes place on the back stage. In parallel, the Data War takes place on the front stage.

V.F.2.c.3.1 Front Stage

2408. August 23-25 2018, DNC Summer Meetings in Chicago [D1990]

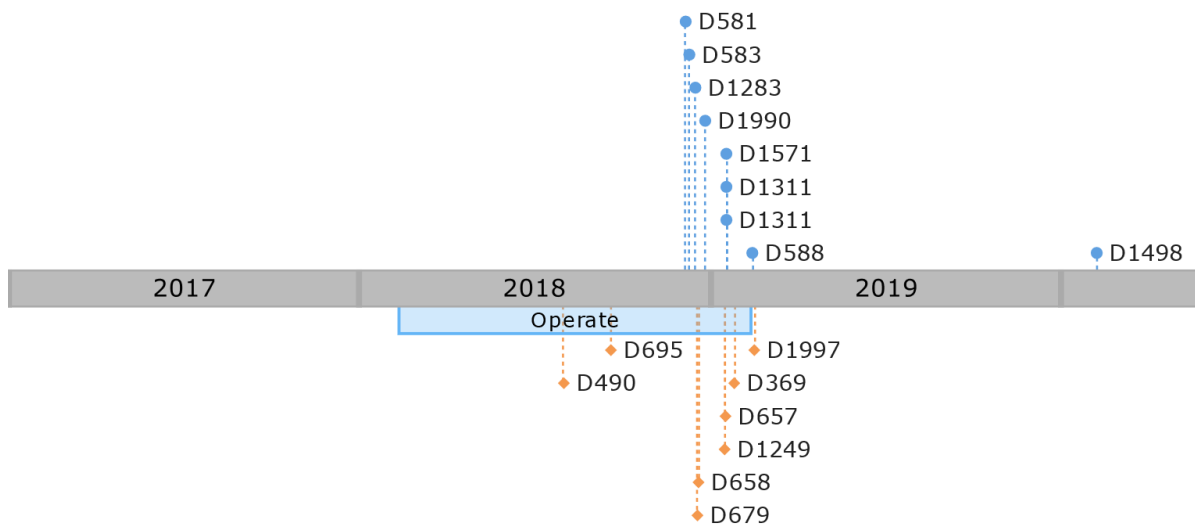
- 12/06/2018 Politico reports "We have a crisis: Democrats at war over trove of voter data" [D581]
- 12/10/2018 Politico reports "LinkedIn co-founder backs \$35 million voter data project in 'existential threat' to Democratic Party" [D583] which was named "Alloy."
- 12/16/2018 Politico reports that DNC Chair Tom Perez "threatened to cut off access to campaign tech tools like VoteBuilder, an online organizing platform, if state parties go forward with their plan" referring to Reid Hoffman's Alloy. The state parties "would have to find a replacement for VoteBuilder either building or buying as the DNC has sole rights to the platform..." [D1283]
- 01/17/2019 Acronym acquired Groundbase [D1571] and renamed it "Shadow"
- According to news site "grayzone", Acronym was also funded by Reid Hoffman, and helped to create Courier Newsroom, which evolved from experiments including the Alabama disinformation campaigns. [D1498]
- 01/17/19 Shadow publishes blog post [D1311] "Introducing The Shadow Party" which outlines what would become Lightrail.

- 2/3/2019 Burlington press reports "Howard Dean to head new Democratic voter data exchange" [D588]

V.F.2.c.3.2 Back Stage

- 8/01/2018 Proxies Colibri and RagTag set OSDI Officer terms to end January 31, 2019, which coincide with DNC Winter Meetings. [D490]
- 9/09/2018 Proxies begin referring to OSDI as OpenSupporter, and install "StateBot" which automatically closes issues, creating the appearance of inactivity. [D695]
- 12/19/2018 Ragtag proposes GitHub Pull Request "Adding Gemfile" which contains superfluous commits, fraudulently creating the appearance that RagTag was a significant contributor to the project. [D679]
- 12/19/2018 During committee meeting, RagTag proposes "To reduce confusion, can we remove the master branch?" This would delete the underlying work, Plaintiff's contributions and misrepresent the authorship of the OSDI Spec. [D658]
- 1/15/2019 Proxies conduct review and update of OSDI's Governance policy attempting to allow "sublicensing" and consolidating officer positions [D1249]
- 1/16/2019 Proxy Colibri/Sonya Reynolds states "2019 is going to be a big year and brings a lot of opportunity for wider adoption of the shared spec!" [D657]
- 1/25/2019 Proxies Colibri, RagTag and Broadstripes resign their governance positions, state that they will continue to participate in technical committee meetings, but instead break contact. [D369]
- In February 2019, Sonya Reynolds begins employment at The Movement Cooperative. [D1997]

2409. The following diagram shows a timeline of the parallel conduct comparing front stage Data War activity with back stage racketeering to operate OSDI.



Parallel Conduct

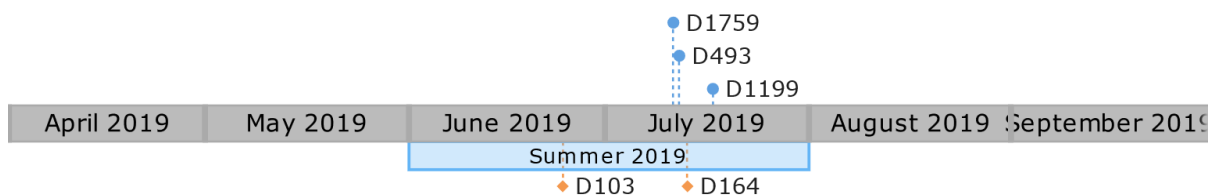
V.F.2.c.4 Netroots Nation 2019

V.F.2.c.4.1 Front Stage

2410. D1648 07/12/19 Netroots Nation 2019 session "DON'T PUT DIGITAL IN THE CORNER: WHY EVERY DEPARTMENT SHOULD BE USING DIGITAL TOOLS..." led by Gerard Niemira.
2411. 7/11/2019 Netroots Nation 2019 session "This Is How We Win: A First Look at Action Builder" Action Builder is released on or before this date. [D1759]
2412. 7/12/2019 Netroots Nation 2019 session "TECH FOR THE MOVEMENT, NOT THE BILLIONAIRES" [D493] This session was led by Brian Young/Action Network, Ann Lewis/MoveOn, Josh Nussbaum/The Movement Cooperative campaign hosted at Netroots Nation 2019.
2413. D1199 07/17/19 Gerard Niemira announces Lightrail's release during Netroots Nation 2019 "Last week we launched Lightrail and Shadow Messaging. Learn more about why we built a universal adapter for political data and technology" [D1651]

V.F.2.c.4.2 Back Stage

2414. On 6/24/2019, Plaintiff received a notification that his registration to Netroots Nation 2019 was cancelled and refunded. [D103]
2415. On 7/11/2019 Plaintiff attempts to register on-site for Netroots Nation 2019 and is refused. Plaintiff asked to talk with the leaders to understand why, but was refused. Staffers coerce the police to remove Plaintiff from the public lobby even though he was not creating a disturbance, thus preventing Plaintiff from discovery. On 7/13/19 Plaintiff is terrorized on sidewalk outside Netroots Nation 2019 with "Josh Cohen sexually harasses women..." Witness Affidavit [D164] "Oh, I know who you are. You re Josh Cohen. You sexually harass women. He kept repeating the statement: Josh Cohen sexually harasses women."
2416. On 7/16/2019 Skyler Duveen/MoveOn.org praises Plaintiff's source code contribution to MoveOn Spoke implementing an OSDI connector ""This PR creates a fantastic external API that will help other programs interface with Spoke -- it's breadth is excellent" and encourage Plaintiff to continue the work, which Plaintiff did. MoveOn was actively misleading Plaintiff. [D386]



Parallel Conduct

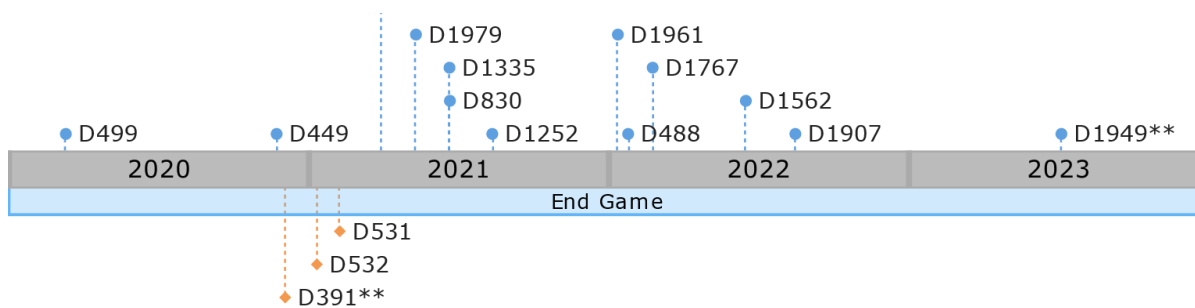
V.F.2.d Endgame

V.F.2.d.1 Front Stage

- On 3/11/2020 Via the web, Action Squared announces vertical agreement with DNC and adds DNC as a development partner. [D499]
- On 12/02/2020, Action Network announces its Partner Integration Program, treating OSDI as its proprietary API and ecosystem. This was just over the 4 year statute of limitations for the ambush at Rootscamp 2016 where Swirling announced to a room "A man had entered the room who has engaged in repeated violence and persistent harassment of women...", which was the basis of the claim in Cohen v. Swirling. [D449]
- January 2021 According to LinkedIn, Gerard Niemira begins employment at PDI serving as Chief Product Officer. [D1377]
- February 2021 According to LinkedIn, Chris Goddard begins employment at PDI serving as Senior Product Manager. [D534]
- 05/11/21 Civitech announces that it acquired Alloy, Reid Hoffman's voter file project. [D1979]
- 06/21/21 Higher Ground Labs announces their 2021 cohort including Bluelink. [D1335]
- 06/22/21 Via the web, Action Network announces the merging of products Action Network and Action Builder, continuing its platform disintermediation play. "At Action Network and Action Builder, we re uniting the two into a seamless powerbuilding model" [D830]
- 08/12/21 Bluelink's infringement becomes discoverable. [D1252]
- 01/12/22 Reported by Axios, Civitech raises \$10 million in funding from Higher Ground Labs. [D1961]
- 2/25/2022 The last archived web page of PDI's BlueVote Integrations page shows only 2 integrations, ThruText and Organizer. [D488] Had PDI been able to implement OSDI, it would have competed at the level of the market. It would have had compatibility with the applications listed above.
- 02/23/22 Via web, Action Builder launches its API stating "We built the API in collaboration with the AFL-CIO and organizers on the ground." which is false. Action Builder's API was largely built by Plaintiff. [D1767]
- May 2022 According to LinkedIn Chris Goddard leaves PDI. [D534]
- June 2022 According to LinkedIn, Gerard Niemira leaves PDI and joins Higher Ground Labs as "Managing Director, Fund IV" [D1377]
- 06/17/22 Civitech acquires Bluelink. [D1562]
- 08/16/22 Nathan Woodhull posted on Twitter that he was "Launching something new! Daisy-chain is an organizing platform that integrates the political tech stack". Woodhull founded DaisyChain with Jon Warnow. [D1907]
- 07/06/23 As Higher Ground Labs Managing Director Gerard Niemira announces its 2023 cohort including DaisyChain [D1949]

V.F.2.d.2 Back Stage

- 12/03/20 Chris Goddard, Data Engineering and Reporting Director at the DCCC emails Plaintiff asking "I would really love the opportunity to talk to you about your experience in creating [OSDI]" [D391]
- 1/11/2021 An issue is opened on OSDI's GitHub repository, where Jason Rosenbaum states "this project is somewhat defunct" [D532]
- 2/8/2021 The GitHub conversation continues, with Joe McLaughlin stating "Unless and until you make a clean break from the OSDI project and the organization, such as it exists now, and I'm not sure that it does exist, I have little reason to believe that any additional organizations will implement any of the OSDI spec." [D531]



Parallel Conduct

V.F.3 Plaintiff's Antitrust Standing

V.F.3.a Defendants' Conduct Affects Competition in Genera

2417. As described in the *Anticompetitive Effects* section of this complaint, Defendants conduct affects competition within the market.

V.F.3.b Plaintiff's Antitrust Injuries

2418. Plaintiff's antitrust injury arises from the fact that the outcomes Defendant's achieved required misappropriation of Plaintiff's IP in the form of copyright authorship and the application ecosystem, which is an economy of scale largely built by Plaintiff's labor and evangelism.

2419. The API's for Action Squared and Civitech's are OSDI disguised as their own APIs. The head start they gained is largely the result of Plaintiff's labor, intellectual property, and evangelism.

2420. Defendants also fraudulently induced Plaintiff's labor from the outset of the project, by agreeing to terms to build an external network effect. Plaintiff would not have performed the labor, or funded it by liquidating assets in his retirement savings.

V.F.3.b.1 Intellectual Property Damage

2421. The effect of Campaign's racketeering activity included the destruction of OSDI's External Network Effect and misappropriating the Intellectual Property, including copy-

right authorship aka OSDI IP and laundering it into proprietary API's including products Action Network, Action Builder and Civitech, which are proprietary, similar but incompatible "forks" of OSDI.

2422. The Campaign beginning with Nathan Woodhull and Action Network fraudulently induced Plaintiff's labor by agreeing to terms, telling Plaintiff what he needed to hear, while concealing facts that would have led Plaintiff to discover their use of the OSDI IP as their own. To fund his time and labor, Plaintiff liquidated assets in his retirement savings. The majority were shares of Microsoft stock he had earned from his work at Microsoft. Given the probable rise in stock price, which did occur, Plaintiff knew he was "leaving money on the table", however, he believed that creating an External Network Effect was a good cause that helped everyone as much as it helped himself.

2423. But for this deception, Plaintiff would not have continued to liquidate assets in his retirement savings to fund his performance the labor that was creating the OSDI IP and the value that was misappropriated.

V.F.3.b.2 Fraudulent Inducement

2424. Defendants were fraudulently inducing Plaintiff's labor from the outset of the project (Nathan Woodhull), and when Action Network joined in November 2013 (Jason Rosenbaum, Director of Technology)

2425. After a series of increasingly complex schemes through 2016 failed to undermine the project, with the looming Data War, Defendants escalated to extortion.

V.F.3.b.3 Extortion Injuries

2426. Defendants engineered an extortion scheme that endangered Plaintiff's business property and safety, creating an intolerable and dangerous situation to facilitate coercion, which began in mid 2016. This has a damaging effect on Plaintiff's mental health as well, which required therapy. This healthcare began in August 2016, which coincides with the beginning of the extortion, with at least 38 sessions throughout the scheme.

V.F.3.c Defendants Conspiracies are Open Ended

2427. But for Defendants' unlawful conduct, the outcomes they achieved would not be possible because they require the destruction of OSDI and it's external effect.

2428. As demonstrated above, Defendants were only able to stop the external network effect by gaining control of the project using racketeering and extortion because they couldn't compete fairly with Plaintiff.

2429. But for Defendants' actions to exclude Plaintiff from conferences and other industry spaces, they would not be able to prevent the external network effect from returning.

VI CLAIMS

VI.A Count 1 Copyright Infringement

2430. Title 18 2319 against Action Network and Action Builder

2431. By Defendant's actions alleged above, products Action Builder and Action Network has infringed and will continue to infringe upon Plaintiff's contributions to the OSDI specification, registrations Txu 2-249-951 and TX0009315996.
2432. Defendant's infringement is willful, and have realized unjust profits, gains and advantages as a proximate result of its infringement.
2433. Plaintiff, as well as other market participants suffer and will continue to suffer monetary loss, barriers to fair competition as a direct and proximate result of Defendants actions.
2434. Plaintiff seeks declarative judgement on copyright authorship. Specifically, Action Network and Action Builder may not refer to the work as their proprietary APIs.
2435. Plaintiff seeks injunctive relief, preventing Defendants from continuing their infringing use.
2436. Plaintiff seeks monetary damages for infringing use.

VI.B Count 2 RICO 1962(a)

2437. Title 18, 1962(a), 3551 Conspiracy, 2319 Copyright Infringement, 1343 Wire Fraud, 1951 Extortion.
2438. The allegations of preceding paragraphs are incorporated herein by reference. This Count is against Defendants Nathan Woodhull, Action Network, AFL-CIO (the "c2Defendants").
2439. Action Squared is an enterprise engaged in and whose activities affect interstate commerce.
2440. The culpable persons are Nathan Woodhull, AFL-CIO and Action Network.
2441. The c2Defendants used and invested income that was derived from a pattern of racketeering activity in an interstate enterprise. Specifically:
2442. From the outset of the OSDI Project, which was founded after the 2012 election, c2Defendants agreed to a democratically governed external network effect.
2443. c2Defendants engaged in a pattern of wire fraud to fraudulently exploit Plaintiff's labor, proficiency and retirement savings to create valuable intellectual property in the form of Copyright Authorship of an API specification, and an economy of scale in the form of compliant applications.
2444. In parallel, c2Defendants engaged in Wire Fraud to misrepresent the authorship and pass it off as the work of Action Network.
2445. **Wire Fraud** Jason Rosenbaum/Action Network: Predicate acts of Wire Fraud to conceal DMCA 1201 Violations by Jason Rosenbaum/Action Network. Plaintiff is the author of Person Signup Helper. Rosenbaum copies and pastes the authorship in to a new file and labels it "first draft".
2446. [Github](#) [02/17/15](#) [2015-02-17 12:45pm](#) "introduction update opensupporter/osdi-docs@4660ed9,introduction update opensupporter/osdi-docs@4660ed9 GitHub" [D1983] [Github](#)

2447.  Github  12/31/14  2014-12-31 11:59am "person signup helper first draft opensupporter/osdi-docs@8a50587,person signup helper first draft opensupporter/osdi-docs@8a50587 GitHub" [D1964]  GitHub

2448. Knowing that there would be a Data War after the 2016 election, in 2016, c2Defendants escalated to a Conspiracy to commit Robbery by Extortion and Abuse of Process and Litigation Privilege.

2449. **Extortion or in the alternative Wire Fraud** Nathan Woodhull: On 2/12/2018, via Email, Nathan Woodhull furthers the conspiracy to commit Robbery by Extortion by continuing the false portrayal of Plaintiff as a presumably heteronormative male who engaged in sexual harassment of women. He also acknowledges and justifies deception used in Abuse of Litigation privilege tweetstorm.

2450.  Email Subject  02/12/18  2018-02-12 10:42pm "An Important update" [D1048]  Joshco

2451.   Nathan Woodhull  2018-02-14 12:31pm [D1048]

I get that whatever happened must have felt incredibly hurtful and personally damaging to take the steps you have but surely there are more constructive ways to resolve things? I know we're not close but hope you take this as intended, as heartfelt advice from an acquaintance who cares about you and OSDI, etc

2452.   N. Woodhull  1:41p [D1048]

Of course she's not being fair, you're suing her. At this point you're never going to get the outcomes you want pursuing this strategy is all I'm saying even if you feel boxed in and

2453. **Extortion** On 2/20/2018, Jeff Mann/AFL-CIO along with Martha Grant/Action Network and others used the AFL-CIO's monopsony power to coerce other OSDI participants to either vote Plaintiff out of his position, or help destroy the project by leaving. See section "Coercion 2/20" in Violations, Robbery by Extortion.



2454.  Email Subject  02/20/18  2018-02-20 9:30am "[osdi-gov] Resigning from OSDI" [D1436]  @ List governance,  Martha Grant

2455. Defendants broke contact in early 2020 and concealed their schemes to invest the proceeds into their enterprises.

2456. **Wire Fraud** Nathan Woodhull: On 6/2/2020, Nathan Woodhull posts a message to to OSDI Slack, which continues to falsely portray OSDI as the Action Network REST API, thus furthering the conspiracy to invest proceeds.





































2457.  Chat  12/07/20  2020-12-07 5:27am "OSDI Slack" [D547]

2458. Woodhull's library can be found at:

2459.  Github  05/06/20  2020-05-06 "GitHub - controlshift/action-network-rest: Ruby client for interacting with the ActionNetwork REST API" [D303]  GitHub

2460.   Nathan Woodhull, Control Shift  12:00a [D303]

ActionNetworkRest Gem: Ruby client for interacting with the ActionNetwork REST API from the engineering team at ControlShift.

2461. **Extortion Property or Wire Fraud** On 11/23/2020 Via its website, Action Network announced its Integration Partnerships Program, which treats the OSDI IP as its own.
2462.  Web Page  12/02/20 "Integrating your platform with Action Network is now easier than ever, Integrating your platform with Action Network is now easier than ever | by Amy Chin-Lai | Powering Progressive Movements | Medium" [D449]  Medium
2463. **Wire Fraud** Action Network: Between July and September 2020, Jeff Mann/AFL-CIO made a series of commits to MoveOn Spoke which furthered the conspiracy to remove the external network effect and replace it with proprietary connectors to facilitate walled gardens and gatekeeper powers.
2464.  Github  09/14/20  2020-09-14 1:22pm "Move Action Network handler to extensions folder MoveOnOrg Spoke 6a0e69f" [D1977]
2465.  Github  07/29/20  2020-07-29 5:19pm "Fix VAN action handler with warehouse loader MoveOnOrg Spoke d438e11" [D1976]
2466.  Github  07/29/20  5:19p "VAN input type is optional MoveOnOrg Spoke bc2a52c" [D1975]
2467.  Github  09/24/23  2023-09-24 7:25pm "Update ngpvan extensions to look for encrypted key MoveOnOrg Spoke 92e2a81" [D1974]
2468. **Extortion** Jason Rosenbaum/Action Network: During a telephone call with Jason Rosenbaum on 5/30/2018, Rosenbaum acknowledges that the tweetstorm on 2/12/2018 was fraud. Rosenbaum then attempts to coerce Plaintiff to resign by citing the unjust harm done to the project and to Plaintiff's reputation.
2469.  Audio  05/30/18  2018-05-30 11:11pm "Telephone Call Jason Rosenbaum, Josh Cohen" [T23]  My Recording;  Jason;  Josh
2470. Jason Rosenbaum concedes that Plaintiff's behavior was within norms and that the unjustly harmful accusation that Plaintiff harassed Rosenbaum's former employee was false.
2471.   Josh  +11:00 [T23]
 To the extent I am guilty of anything it is unruly and disobedient behavior on a group in September 2016, and mostly silent protest for about a minute in a conference session (November 2016) I just two things completely within the norms of the community.
2472.   Jason  +11:00 [T23]
 I agree... It's not about the merits.
2473.   Josh  +11:00 [T23]
 Harassing her over a period of time, No.
2474.   Jason  +11:00 [T23]
 Again, it's not about the merits. I agree... I agree... It's not about the merits.
2475.   Josh  +11:00 [T23]
 Yeah, it is about the merits

2476. Rosenbaum then uses the unjust harm to attempt to coerce Plaintiff to resign.





2477.   Jason  +17:06 [T23]

I would hope that at this point when you've seen what happened to the organization you clearly care about, you would put it first and take that step back.

2478.   Jason  +41:51 [T23]

Going forward, you have a reputation in the community and you are unable to do the work of chairman...

2479. **Wire Fraud** Jason Rosenbaum/Action Network: During the conversation on the GitHub issue opened on 1/11/21, Rosenbaum states the project is "defunct" and states "here's been no updates in years, I don't think the committees still meet, etc...". This furthers the conspiracy by concealing the fact that the current state of the project is due to racketeering activity and extortion by Action Network and its co-conspirators.

2480.  Github  01/11/21  2021-01-11 "Response to PUT on api.opensupporter.org * Issue #338 * opensupporter/osdi-docs" [D532]  GitHub

2481.   J Ro  3:13p [D532]

Hi there, this project is somewhat defunct, and there is no demo server to test against. That said, there's already a lot of Civi work that's been done that you probably should start with: civcrm.org/extensions/civcrm-osdi-contact-sync

2482.   J. Ro  7:07p [D532]

I mean, check out this repo, there's been no updates in years, I don't think the committees still meet, etc...

2483. **Copyright Infringement** Action Network: Copyright Infringement 2319 as described in Count 1 against Action Network and Action Builder products.

2484. **Wire Fraud** Action Network: In a blog post dated 2022-01-19, Action Network's Jeff Dugas states "We developed the ActBlue sync with our Development Partners at the DNC". The ActBlue sync was an OSDI based sync. Since then, ActBlue and Action Network have added proprietary extensions. This furthers the conspiracy by covering up the true origin, which was OSDI.

2485.  Jeff Dugas, Action Network [D1302]

We developed the ActBlue sync with our Development Partners at the DNC to help Action Network partners raise more money on ActBlue than ever before.

2486. **Wire Fraud** Action Network: 02/23/22 Via web, Action Builder launches its API stating "We built the API in collaboration with the AFL-CIO and organizers on the ground." which is false. [D1767] Action Builder's API specification is disguised OSDI and was largely built by Plaintiff. [D1764]

2487.  News  02/23/22 "Introducing the Action Builder API,Introducing the Action Builder API | by Amy Chin-Lai | Powering Progressive Movements | Medium" [D1767]  Medium

2488.   Amy ChinLai,[https://medium.com/amychinlai, theactionnet](https://medium.com/amychinlai/theactionnet) [D1767]

Action Builder is the premier organizing tool for the labor movement, community organizations, and beyond. We built the API in collaboration with the AFL-CIO and organizers on the ground.

2489.  Web Page  05/25/22 "API Documentation | Action Builder, Action Builder" [D1764]

2490.  [D1764]

Built by organizers, for organizers from the ground up for organizing and leadership development

2491. The racketeering activity listed above constitutes a pattern of racketeering activity pursuant to 18 U.S.C. § 1961(5).

2492. As direct and proximate result of the c2Defendants' racketeering activities and violations of 18 U.S.C. § 1962(a), Plaintiff has been injured in their business and property in that:

2493. Plaintiff's investment of labor, proficiency and retirement savings, made based on Defendants' agreements was for the purpose of an external network effect. Defendant's investment schemes bifurcated the standard serving as an external network effect and laundered it into proprietary walled gardens.

2494. As a result, it is Defendants' investing the proceeds of their racketeering into their enterprise, Action Squared, that damaged the value of Plaintiff's investment.

VI.C Count 3 Copyright Infringement

2495. Title 18 2319 against Defendant Civitech, which acquired Bluelink.

2496. By Defendant's actions alleged above, products Bluelink has infringed and will continue to infringe upon Plaintiff's contributions to the OSDI specification, registrations Txu 2-249-951 and TX0009315996.

2497. Defendant's infringement is willful, and have realized unjust profits, gains and advantages as a proximate result of its infringement.

2498. Plaintiff, as well as other market participants suffer and will continue to suffer monetary loss, barriers to fair competition as a direct and proximate result of Defendants actions.

2499. Plaintiff seeks declarative judgement on copyright authorship. Specifically, Bluelink may not refer to the work as their proprietary API.

2500. Plaintiff seeks injunctive relief, preventing Defendants from continuing their infringing use.

2501. Plaintiff seeks monetary damages for infringing use.

VI.D Count 4 Violation of Section I of the Sherman Act, 15 U.S.C.

2502. Against Defendants Action Network, AFL-CIO, Civitech, Nathan Woodhull, MoveOn.org, Democratic National Committee, Netroots Nation aka Antitrust Defendants.

2503. Antitrust Defendants, by and through its officers, directors, employees or other

representatives, entered into an unlawful agreement with their co-conspirators in restraint of trade and commerce in violation of Section 1 of the Sherman Act, 15 U.S.C. § 1.

2504. Antitrust Defendants engaged in racketeering conspiracies to gain control of, operate, and destroy a OSDI, a technology which served as an external network effect, then invest the essential intellectual property including copyright authorship and OSDI's application ecosystem into their own enterprises.

2505. Antitrust Defendants unreasonably restrained trade in the following ways:

- Gave themselves an unfair competitive advantage and created barriers to entry for competitors, increased customer switching costs and reseller support costs, and reduced customer choice by misappropriating OSDI's essential IP and application ecosystem, and laundered it into proprietary application ecosystems in a manner similar to App Stores.
- Increased customer switching costs.
- Increased application developer costs.
- Created an artificial inefficiency in the market which favors large, well-resourced players who can afford duplicative work.
- Leveraged the artificial inefficiency to launder an external network effect into proprietary internal network effects to create a market for "universal adapters". An analogy would if Defendants coerced the laptop or smartphone market away from USB-C and back to proprietary connectors.
- Since the relevant markets constitute essential resources for candidates running for election, Defendants and their co-conspirators have gained gatekeeper powers over those resources including products and the data pipes that data flows through, allowing them to discriminate to deprive or degrade those for disfavored candidates.

2506. Antitrust Defendants conspiracies affect interstate commerce.

2507. Antitrust Defendants' conduct is a per se violation that restrains trade and harms competition through an unlawful agreement in violation of Section 1 of the Sherman Act, 15 U.S.C. § 1.

2508. In the alternative, Defendants Agreement as described above caused significant anticompetitive effects that outweigh any procompetitive benefits that could not be achieved through less anticompetitive means, if any such benefits exist at all. For that reason, the agreement is a violation of Section 1 of the Sherman Act, 15 U.S.C. § 1.

VII DAMAGES

VII.A Fraudulently Induced Labor

2509. The Campaign was fraudulently inducing Plaintiff's labor from the start.

2510. Plaintiff's decision to lead the OSDI project and do the work was based on building an external network effect. In August 2013, the existing members of OSDI voted to adopt a governance process that would yield an external network effect.
2511. When Action Network joined OSDI in November of 2013, and other Defendants subsequently joined, they agreed to terms that would yield an external network effect, or otherwise fraudulently induced Plaintiff's labor. But for those agreements, Plaintiff would not have performed the work., which he did by liquidating assets in his retirement savings.
2512. Since the OSDI project work varied between part-time and near full-time, full time employment was not possible. As a result, Plaintiff began building a sole-proprietorship, building tools he could sell to customers. His ability to do this as a sole-proprietor depended on the existence of a standard API serving as an external network effect.
2513. As Based on the agreements made, Plaintiff funded his time and labor for both the OSDI project and the sole-proprietorship by liquidating assets in his retirement savings.
2514. Plaintiff's invested a similar amount in his sole-proprietorship. The viability of the product he built depended on the external network effect which has been destroyed. The market value of Plaintiff's investment to build the external network effect is at least \$325,000 dollars.
2515. Plaintiff's losses can also be calculated by the value of the assets he liquidated from his retirement savings to fund the work in both OSDI and the sole-proprietorship. These amount to roughly \$700k.

VII.B Plaintiff's Property Injury

2516. The damage to Plaintiff's investment results from Defendant's destruction of OSDI's external network effect and laundering it into proprietary internal network effects.

VII.C Plaintiff's Antitrust Injury

2517. Plaintiff's antitrust injury stems from the destruction of the external network effect. However, the injuries are not unique to Plaintiff. As described in Violations / Unfair Competition section of this complaint, Defendants' conduct harms competition in general.
2518. Defendants' could not have achieved the outcomes and benefits without the destruction of Plaintiff's investment and property.

VII.D Other Injuries

2519. Plaintiff suffered an unknown and undiscovered level of damage to his economic viability from the false-flag Cohen v. Swirling, false portrayals of Plaintiff as unstable or violent, false claims of a restraining order, false portrayals as guilty of harassment, and undiscovered distortions the Campaign told the community to conceal their actions and justify their aggression.
2520. Plaintiff spent approximately \$3000 out of pocket expenses for therapy during

Defendants' racketeering and extortion.

VIII PRAYER FOR RELIEF

2521. Plaintiff seeks damages of at least \$650,000.
2522. Plaintiff seeks treble damages.
2523. Plaintiff seeks injunctive relief to prevent further infringement by Bluelink, Action Network and Action Builder.
2524. Plaintiff seeks the court's help to restore the external network effect and its competitive benefits.
2525. Respectfully Submitted, /s/Josh R. Cohen

IX EXHIBITS

2526. **Exhibit 1** Copyright deposit for registration TX0009315996 (Plaintiff's contributions)
2527. **Exhibit 2** Github Authorship of Core (README)
2528. **Exhibit 3** Copyright deposit for Txu 2-249-951 (Plaintiff's Underlying work)
2529. **Exhibit 4** Copyright deposit for OSDI Prototype Source code, registration TXu 2-386-143
2530. **Exhibit 5** Action Network's original implementation code, based on Plaintiff's provided code (Exhibit 4). (This is a ZIP file which can be provided at a later date if needed.)

X ESI

ID	ESI
D4	007c01d467b4\$222e9780\$668bc680\$[gmail.com?]
D5	CAA3mgx9VhMKw1KZz1hh2zEpi5dyYE2mbaLQ4nq8FC0dyLhio-w@mail.gmail.com
D6	CABX8+gKiWy88O13iebx=XDrtcbEmvXRrD7OHzHC_Du3KuST3fg@mail.gmail.com
D15	CAF3KT4RZJ7EuLLYejNQAe0tGtGgBx-5b2wkp986xOt6GXwpqpQ@mail.gmail.com
T23	https://www.youtube.com/watch?v=iy9jQYpJ9rY
D28	CAAVAKc1J5Wzak8UGg9ENm2j-6wgSSjXFHyLEP3JnvXiEK8N1dQ@mail.gmail.com
D51	https://github.com/MoveOnOrg/Spoke/pull/
D51	http://web.archive.org/web/20201219005912/https://github.com/MoveOnOrg/Spoke/pull/1275

ID	ESI
D55	CAATvYSZGLaOoU4PTvsX2p7Qa-yv1q5pDr2K39N=4DC2yrg7Mww@mail.gmail.com
D58	CAATvYSYF4PJ4F-aZ1Pj=Q+HwgZKVQ-+NMMXKeO6S32P_KxKzHQ@mail.gmail.com
D88	https://www.politico.com/story/2015/12/b-sanders-dnc-data-breach-217016
D88	http://web.archive.org/web/20151221203443/http://www.politico.com:80/story/2015/12/bernie-sanders-dnc-data-breach-217016
D90	https://www.wired.com/story/justice-demo-denied-access-party-voter-data/
D96	CAMYBpt-eD0+myxUSC-UhqOvWnLVL_j-gMdk6UkKkEJoVZ-01TA@mail.gmail.com
T105	https://youtu.be/jRhJrGbwP60
D145	C57C6C20-FF9F-4192-881C-DFD53258D449@dcn.com
T149	https://soundcloud.com/infoq-channel/ann-lewis-discusses-the-political-tech-land-moveons-architecture-and-scaling-c
D157	CAF3KT4SgnnesOZHET2gXL94SKhmyufjs0EDL6EMcgaywupPNg@mail.gmail.com
T174	https://soundcloud.com/thegreatbattlefie/building-the-technology-tools-that-he-campaigns-win-with-the-action-network-funds-brian-young
T203	https://soundcloud.com/thegreatbattlefie/the-intersection-of-technology-and-po-with-mike-conlow-of-blue-state-di-episode-291
T205	https://www.npr.org/2008/11/13/96956854/-explains-the-democrats-50-state-str
D206	https://meet.lucidmeetings.com/meeting/1
D208	CAOCNiAJY7Ek1tuYzMRwsa613LgrTV6Oz+7GzqZoE8fCB-ppyug@mail.gmail.com
D219	271101d3a483\$9b9c5020\$d2d4f060\$[gmail.com?]
D230	05b301cf39cb\$8a8f5fb0\$9fae1f10\$[gmail.com?]
D255	3FB7403D-C6CC-41EF-8DE9-0E1E116CAAD2@actionnetwork.org
T262	https://soundcloud.com/thegreatbattlefie/integrating-and-connecting-political--data-with-jon-and-nathan-of-d

ID	ESI
D303	https://github.com/controlshift/action-n-rest
D303	http://web.archive.org/web/20200720015331/https://github.com/controlshift/action-network-rest
D308	002201ce365a\$0f670790\$2e3516b0\$[gmail.com?]
D308	https://groups.google.com/d/msgid/osdi-dev/002201ce365a%240f670790%242e3516b0%24%40gmail.com
D309	CAF3KT4RwBvKcLoNo=u25esUMpNirVs8uPMFC9wnEYViCF0QkxA@mail.gmail.com
D309	https://groups.google.com/d/msgid/osdi-dev/CAF3KT4RwBvKcLoNo%3Du25esUMpNirVs8uPMFC9wnEYViCF0QkxA%40mail.gmail.com
D312	D215BDCA.4B5CA%ssachs@ngpvan.com
D312	https://groups.google.com/d/msgid/osdi-governance/D215BDCA.4B5CA%25ssachs%40ngpvan.com
D318	CAF3KT4Qf9cfdCgkJQhXWpPM9Ng+weWxeg3Zen0jp1OKVJ0k8A@mail.gmail.com
D323	CAMaL8ZGK+ewcGZM55VCL+u1UQYbGj\$4SE7DDP3OfCyTtXUkFA@mail.gmail.com
D347	https://www.washingtonpost.com/news/the-/wp/2014/01/13/meet-the-former-mic-employee-who-wants-to-liberate-li-data/
D347	http://web.archive.org/web/20200607133316/https://www.washingtonpost.com/news/the-switch/wp/2014/01/13/meet-the-former-microsoft-employee-who-wants-to-liberate-liberal-data/
D365	006501d489a5\$771a04b0\$654e0e10\$[gmail.com?]
D385	5967c330372b0_1278058040945784@ip-10-0-0-61.mail
D386	https://github.com/MoveOnOrg/Spoke/pull/
D386	http://web.archive.org/web/20201219010135/https://github.com/MoveOnOrg/Spoke/pull/1166
D390	http://opensupporter.org/progressive-tec-edge-grows-with-increased-osdi-adoptio/

ID	ESI
D390	http://web.archive.org/web/20161217072541/http://opensupporter.org:80/progressive-tech-edge-grows-with-increased-osdi-adoption/
D391	MN2PR10MB3310846CDD458AD73E58396BD6F20@MN2PR10MB3310.namprd10.prod.outlook.com
D397	http://opensupporter.org/actblue-osdi-im-launches-with-dailykos/
D397	http://web.archive.org/web/20161106015750/http://opensupporter.org/actblue-osdi-implementation-launches-with-dailykos/
D406	CAF3KT4RUZV2cS8MeNBgN+hP8ObK+Y8FV14=dBVpq8jKi_1mc2Q@mail.gmail.com
D407	CAF3KT4Q+N=_xYFR+YE-fX=cObsw1A8sDoWJjXnJ9SEsKzFa=4g@mail.gmail.com
D417	CALT=vEye93xNx-G1-FbvNOQSAE0rTfo40WVio0=EDEzK35ciAg@mail.gmail.com
D424	https://blog.ngpvan.com/news/ngp-van-lau-innovation-platform-significant-up-tools
D424	http://web.archive.org/web/20151222161852/http://blog.ngpvan.com:80/news/ngp-van-launches-innovation-platform-significant-updates-tools
D449	https://medium.com/powering-progressive-/integrating-your-platform-with-action-network-is-now-easier-than-ever-24ba32ce69
D449	http://web.archive.org/web/20201202175835/https://medium.com/powering-progressive-movements/integrating-your-platform-with-action-network-is-now-easier-than-ever-ca24ba32ce69
D452	https://help.actionnetwork.org/hc/en-us//208644666-Integrating-with-VAN-
D452	http://web.archive.org/web/20190314040938/https://help.actionnetwork.org/hc/en-us/articles/208644666-Integrating-with-VAN-events
D475	http://opensupporter.org/spoke-van-every-action-network-integration/
D475	http://web.archive.org/web/20200205205041/http://opensupporter.org:80/spoke-van-everyaction-action-network-integration/
D482	https://schedule.sxsw.com/2015/2015/even/event_IAP36283

ID	ESI
D482	http://web.archive.org/web/20151120091207/http://schedule.sxsw.com:80/2015/2015/events/event_IAP36283
D485	MN2PR10MB3310846CDD458AD73E58396BD6F20@MN2PR10MB3310.namprd10.prod.outlook.com
D488	https://web.archive.org/web/202201251658/https://bluevote.com/integrations/
D488	http://web.archive.org/web/20210225020642/https://bluevote.com/integrations/
D493	https://www.netrootsnation.org/nn_events/nn19/tech-for-the-movement-not-the-bill/
D493	http://web.archive.org/web/20190610012309/https://www.netrootsnation.org/nn_events/nn19/tech-for-the-movement-not-the-billionaires/
D494	https://web.archive.org/web/202009251556/https://www.pdf-18.com/session/reverse-engineering-the-tech-platforms-to-win--for-change/
D494	http://web.archive.org/web/20200809230513/https://www.pdf-18.com/session/reverse-engineering-the-tech-platforms-to-win-campaigns-for-change/
D499	https://medium.com/powering-progressive-/action-network-partners-with-t-dnc-to-build-sustainable-tech-infrast-for-progressives-2f13d1e4199b
D499	http://web.archive.org/web/20200906170826/https://medium.com/powering-progressive-movements/action-network-partners-with-the-dnc-to-build-sustainable-tech-infrastructure-for-progressives-2f13d1e4199b
D502	https://www.netrootsnation.org/nn_events/nn20/how-nonprofit-cooperative-tech-can-help-us-win-up-and-down-the-ballot/
D502	http://web.archive.org/web/20200925193941/https://www.netrootsnation.org/nn_events/nn20/how-nonprofit-cooperative-tech-can-help-us-win-up-and-down-the-ballot/
D507	https://groups.google.com/d/msgid/osdi-dev/040801d15ebc%2405fc52e0%2411f4f8a0%24%40gmail.com
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D576	https://www.netrootsnation.org/nn_events/nn19/democratic-data-how-we-are-bringin-it-all-together/
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D577	https://www.wired.com/story/democrats-fi-crumbling-data-operation/
D577	http://web.archive.org/web/20190402125040/https://www.wired.com/story/democrats-fix-crumbling-data-operation/
D578	https://democrats.org/news/dnc-and-state-parties-announce-historic-agreement-on--data/
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D581	https://www.politico.com/story/2018/12/0/democratic-national-committee-voters-d

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D583	https://www.politico.com/story/2018/12/1/linkedin-reid-hoffman-dnc-voter-data-1
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D584	https://www.vox.com/recode/2020/11/23/21/alloy-democrats-shutting-down-reid-hoffman
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D588	https://www.burlingtonfreepress.com/stor/news/politics/elections/2019/02/13/how-dean-head-new-democratic-voter-data-/2857951002/
D590	https://slate.com/news-and-politics/2012/01/the-co-op-and-the-data-trust-the-dnc-and-rnc-get-into-the-data-mining-busine.html
D590	http://web.archive.org/web/20190610205347/https://slate.com/news-and-politics/2012/01/the-co-op-and-the-data-trust-the-dnc-and-rnc-get-into-the-data-mining-business.html
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D702	https://www.vox.com/2017/7/3/15904484/pi-hoffman-linkedin-zynga-clinton-win--future-democrats-dnc-trump
D702	http://web.archive.org/web/20190502130729/https://www.vox.com/2017/7/3/15904484/pincus-hoffman-linkedin-zynga-clinton-win-the-future-democrats-dnc-trump
D711	https://blog.newmode.net/new-modes-api-i-here-4c4b70c6fce6
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D725	https://theintercept.com/2019/03/22/hous-democratic-leadership-warns-it-will-cu-off-any-firms-who-challenge-incumbents/
D725	http://web.archive.org/web/20190322230154/https://theintercept.com/2019/03/22/house-democratic-leadership-warns-it-will-cut-off-any-firms-who-challenge-incumbents/
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D815	https://github.com/opensupporter/osdi-do/tree/nn13
D818	https://www.nytimes.com/2018/12/19/us/al-senate-roy-jones-russia.html
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D822	https://www.nytimes.com/2018/12/26/us/re-hoffman-alabama-election-disinformati.html
D830	https://medium.com/powering-progressive-/mobilizing-and-organizing-are--to-building-progressive-power-988834ca9c64
D830	http://web.archive.org/web/20210623163608/https://medium.com/powering-progressive-movements/mobilizing-and-organizing-are-essential-to-building-progressive-power-988834ca9c64
D839	https://move-coop.github.io/parsons/html/stable/index.html
D847	https://web.archive.org/web/201507110011/http://www.netrootsnation.org/nn_even/nn-15/master-class-action-network-2/
D847	http://web.archive.org/web/20150711001148/http://www.netrootsnation.org:80/nn_events/nn-15/master-class-action-network-2/
D852	https://permanent.fdlp.gov/gpo145949/com.pdf
D852	http://web.archive.org/web/20201006214413/https://judiciary.house.gov/uploadedfiles/competition_in_digital_markets.pdf

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D853	https://www.salon.com/2015/12/22/the_rea_scandal_in_the_berniednc_feud_is_the_o_nobody_is_talking_about/
D853	http://web.archive.org/web/20151222161932/http://www.salon.com/2015/12/22/the_real_scaandal_in_the_berniednc_feud_is_the_one_nobody_is_talking_about/
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D886	https://www.vox.com/recode/22175186/alloy-drama-reid-hoffman-democratic-data-sta
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D1008	http://web.archive.org/web/20160626063200/http://www.netrootsnation.org:80/nn_events/nn-16/living-and-working-our-values-dismantling-rape-culture-in-progressive-spaces-and-ending-sexual-harassment-and-violence-at-work-voter-pick/
D1021	https://bwarchive.lib.lehigh.edu/?a=d&d=-01.2.22&e=-----en-20--1--tx-txIN-josh+cohen-----
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D1149	https://www.facebook.com/events/17535498/?active_tab=about
D1155	http://techpresident.com/news/22556/nati-mammoth-deal-state-level-repu-committee-sparks-calls-boycott
D1155	http://web.archive.org/web/20120713230100/http://techpresident.com/news/22556/nationbuilders-mammoth-deal-state-level-republican-committee-sparks-calls-boycott
D1180	https://www.nytimes.com/2019/01/07/us/po/alabama-senate-facebook-roy-moore.html
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D1190	https://web.archive.org/web/20230226212533/https://github.com/move-coop/parsons/blob/main/parsons/bluelink/bluelink.py
D1192	https://bluelinkdata.github.io/docs/Blue
D1192	http://web.archive.org/web/20220206214026/https://bluelinkdata.github.io/docs/BluelinkApiGuide
D1199	https://medium.com/shadow-inc/introducin-shadow-inc-shining-a-light-on-politica-data-7f664f0a510b
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D1202	https://www.vox.com/recode/2020/5/8/2125/shadow-bluelink-iowa-caucus-app-reb
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D1283	https://www.politico.com/story/2018/12/1/democrats-perez-state-parties-1066665
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D1302	https://medium.com/powering-progressive-/all-the-tools-your-campaign-ne-to-win-16b5c2431641
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D1363	https://www.opensecrets.org/news/2020/05/dark-money-networks-fake-news-sites/
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D1651	https://twitter.com/ShadowInCHQ/status/1153357514542632961?ref_src=twsrc%5Etfw
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D1764	https://www.actionbuilder.org/docs/v1/in.html
D1764	http://web.archive.org/web/20220525213750/https://www.actionbuilder.org/docs/v1/index.html
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D1801	https://web.archive.org/web/201509122355/http://developers.ngpvan.com:80/osdi#
D1801	http://web.archive.org/web/20150912235526/http://developers.ngpvan.com:80/osdi
D1865	CALsmVUMbuh-GrUoj4T6u3WfFBS+YiUnUURgwnBEmf-dahufhzw@mail.gmail.com
D1869	CALsmVUO4+yw0iRDk1=xBVNshD6TYHPUoAvnEXx8Y_YNK75z1FA@mail.gmail.com
D1873	CALsmVUN4F9ZhBeteMb8duigh42w+qeQQ-qy8yUHbRCFnEiemYQ@mail.gmail.com

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D1888	https://github.com/MoveOnOrg/Spoke/issue/596
D1888	http://web.archive.org/web/20201219014100/https://github.com/MoveOnOrg/Spoke/issues/596
D1890	https://github.com/MoveOnOrg/Spoke/issue/597
D1890	http://web.archive.org/web/20201219014046/https://github.com/MoveOnOrg/Spoke/issues/597
D1907	https://twitter.com/woodhull/status/1559
D1907	http://web.archive.org/web/20230302113739/https://twitter.com/woodhull/status/1559604666329096195
D1920	https://github.com/MoveOnOrg/Spoke/proje/6
D1920	http://web.archive.org/web/20201219024119/https://github.com/MoveOnOrg/Spoke/projects/6
D1948	https://api.bluevote.com/docs/index#!/
D1948	http://web.archive.org/web/20211209100419/https://api.bluevote.com/docs/index
D1949	a5921f340ead4a2af0710c224.d9dc6c3d3e.20230706160428.27be1ab67f.e7534b74@mail250.suw16.rsgsv.net
D1959	BN3PR0801MB2145E6205863C47304C1D913A8750@BN3PR0801MB2145.namprd08.prod.outlook.com
D1960	CAOdcSjvDn67Rp67HQ+zsVDpv+8+76Rk=wgPfNUOYj2W2=d=r+A@mail.gmail.com
D1961	https://www.axios.com/2022/01/12/dem-sta-civitech-raises-10-million-midterm
D1961	http://web.archive.org/web/20220510103806/https://www.axios.com/2022/01/12/dem-startup-civitech-raises-10-million-midterm
D1962	3cc601cf65bf\$cae11020\$60a33060\$[gmail.com?]
D1964	https://github.com/opensupporter/osdi-do/commit/8a50587649f12f37fcc25a76ccfc0a2656b517a

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D1966	https://github.com/opensupporter/osdi-do/blob/8a50587649f12f37fcc25a76ccfc0ad2656b517a/person_signup.md
D1967	https://opensupporter.github.io/osdi-doc/people.html
D1968	CAF3KT4Q8E3-oZygvLAZZaSM=_a3YppibW-z=Uhc2PrwSJDKeJw@mail.gmail.com
D1969	https://web.archive.org/web/202009170729/https://github.com/NGPVAN/osdi-service/pull/7
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D1972	https://github.com/opensupporter/osdi-do/issues/311
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D1973	https://web.archive.org/web/201501090939/http://rootscamp.neworganizing.com/en-us/sessions/rootscamp-2014/sessions?vie=wall&day=Sunday
D1979	https://civitech.io/post/civitech-acquir-alloy-data-and-technology/
D1979	http://web.archive.org/web/20230316140511/https://civitech.io/post/civitech-acquires-alloy-data-and-technology/
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D1983	http://web.archive.org/web/20230320135353/https://github.com/opensupporter/osdi-docs/commit/4660ed9cb680c43727a42c0461386d968f662ac7
D1984	https://www.huffpost.com/entry/misinform-campaigns-alabama-special-election_n_5c338ec4e4b0ad0246437bbc
D1984	http://web.archive.org/web/20190403061528/https://www.huffpost.com/entry/misinformation-campaigns-alabama-special-election_n_5c338ec4e4b0ad0246437bbc
D1985	https://micahsifry.com/project/living-wi-vanxiety-the-present-and-future-of-pr-movement-tech/
D1990	https://reid.medium.com/truth-and-politi-1a532bc6c2b1
D1990	http://web.archive.org/web/20201017174440/https://reid.medium.com/truth-and-politics-1a532bc6c2b1
D1991	CAC7ioS9VaLqKEN63OUV2knpGUQZyJ2dVznSfNsx_gaVdVH7vZw@mail.gmail.com
D1992	2409052629.125044644@salsa3.salsa3DB.mail.salsalabs.com
D1993	https://web.archive.org/web/20230226212543/https://github.com/move-coop/parsons/tree/main/parsons
D1994	https://movementbuilders.us/job/democrat-data-exchange-2-senior-director-of-en-mig/
D1995	https://drive.google.com/file/d/1UNJRGnF0bZKcmXITu1HkOJGjCThytF/view
D1996	https://communitytechalliance.org/blog/f-common-problems-and-solutions
D1996	http://web.archive.org/web/20240324054017/https://communitytechalliance.org/blog/five-common-problems-and-solutions
D1997	https://www.linkedin.com/in/sonyabreynol/
D1998	040a01d2c8ca\$0f5148e0\$2df3daa0\$[gmail.com?]
D1999	152201d2c533\$40cb8790\$c26296b0\$[gmail.com?]

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D1999	https://groups.google.com/d/msgid/osdi-dev/152201d2c533%2440cb8790%24c26296b0%24%40gmail.com
D2001	https://politicaldata.com/
D2001	http://web.archive.org/web/20240608192232/https://politicaldata.com/
D2002	050301cf5d9b\$308f85a0\$91ae90e0\$[gmail.com?]
D2003	http://opensupporter.org/
D2003	http://web.archive.org/web/20240222150032/http://opensupporter.org/
D2004	https://opensupporter.github.io/osdi-doc/
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